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INDEPENDENT BROAD-BASED ANTI-CORRUPTION COMMISSION

MELBOURNE

THURSDAY, 11 NOVEMBER 2021

Witness Appearing: Mr Adem Somyurek

BEFORE THE HONOURABLE ROBERT REDLICH AM, QC

Counsel Assisting: Mr Christopher Carr SC

OPERATION WATTS INVESTIGATION

PUBLIC EXAMINATIONS PURSUANT TO PART 6 OF THE INDEPENDENT  
BROAD-BASED ANTI-CORRUPTION COMMISSION ACT 2011

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*Every effort is made to ensure the accuracy of transcripts.  
Any inaccuracies will be corrected as soon as possible.*

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UPON RESUMING AT 1.48 PM:

COMMISSIONER: Mr Carr, before we continue with the examination of Mr Somyurek, there's something general that I'd like to say. Operation Watts has attracted much public and media speculation in the course of the Commission's public examinations as to who may or should be called as a witness in these hearings. That speculation has revealed a fundamental misunderstanding of the limited powers that IBAC has when examining a witness in either private or public examinations.

In the interests of clarity and increasing the public's understanding of the Commission's role and functions, I'd like to take a moment to explain the legal constraints applying to IBAC in relation to examinations. IBAC may only investigate a matter when a reasonable suspicion arises that one or more individuals have engaged in conduct which enlivens IBAC's jurisdiction. An examination of witnesses, whether in private or in public, is confined to investigating the conduct of those individuals.

The matters about which the witness may be questioned and which the Commission is obliged to set out for the witness at the commencement of each examination of a witness, those matters permits the Commission to only explore evidence that falls within that subject matter and which is in some way relevant to the misconduct of the individuals under investigation.

No such constraint ordinarily applies to a royal commission, who, according to its terms of reference, may

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1	explore any evidence that relates to any individuals if	01:50:43PM
2	that evidence falls within the subject matter of its terms	01:50:48PM
3	of reference.	01:50:52PM
4	Each examination of a witness is a discrete	01:50:57PM
5	exercise of the power to compel a witness to give evidence	01:50:59PM
6	in relation to the relevant conduct of individuals. In	01:51:04PM
7	addition to that significant limitation in the scope of	01:51:12PM
8	the public examination, the power to conduct the public	01:51:15PM
9	examination of witnesses is also subject to additional	01:51:21PM
10	important limitations. At the time IBAC was established	01:51:26PM
11	in 2013, public examinations have been subject to certain	01:51:30PM
12	prescriptive limitations. In particular, the examination	01:51:38PM
13	is prohibited from being in public unless the	01:51:44PM
14	circumstances are exceptional. The examination can be	01:51:47PM
15	held only into the allegation of the misconduct by	01:51:53PM
16	individuals where it will not cause unreasonable damage to	01:51:56PM
17	a person's reputation, safety or wellbeing, and the	01:52:01PM
18	examination must be in the public interest.	01:52:06PM
19	In 2020, over objection by IBAC, further	01:52:12PM
20	amendments were made to the <i>IBAC Act</i> which introduced a	01:52:17PM
21	significant further restriction on IBAC's ability to hold	01:52:21PM
22	public examinations. The effect of the restriction	01:52:26PM
23	introduced in 2020 is that for IBAC to compel someone to	01:52:31PM
24	appear as a witness in a public examination IBAC must also	01:52:35PM
25	be satisfied that a public examination can only take place	01:52:40PM
26	where the subject of the investigation constitutes serious	01:52:48PM
27	corrupt conduct or systemic corrupt conduct.	01:52:53PM
28	I should also point out that other	01:53:00PM
29	anti-corruption jurisdictions, such as ICAC in New South	01:53:04PM

1 Wales and the CCC in Queensland, are not constrained in 01:53:11PM  
2 the same way in holding public hearings. So the totality 01:53:15PM  
3 of the current restrictions in the *IBAC Act* are onerous. 01:53:20PM  
4 The constraints are significant. Any public commentary on 01:53:27PM  
5 the scope of the public examinations needs to recognise 01:53:31PM  
6 that IBAC cannot explore matters with the same latitude as 01:53:36PM  
7 other integrity commissions or a royal commission has 01:53:40PM  
8 power to do. Those constraints, if they are to be 01:53:44PM  
9 addressed, need to take place through legislative reform 01:53:50PM  
10 which could more effectively balance the benefit obtained 01:53:53PM  
11 from exposing serious or systemic corruption in public 01:53:59PM  
12 with the rights and the welfare of individuals. Yes, 01:54:04PM  
13 Mr Carr. 01:54:09PM  
14 MR CARR: Thank you, Commissioner. 01:54:12PM  
15 <ADEM KUBILAY SOMYUREK, recalled: 01:54:12PM  
16 <EXAMINED BY MR CARR, continued: 01:54:12PM  
17 MR CARR: Now, Mr Somyurek, I didn't quite hear an answer that 01:54:19PM  
18 you gave a little earlier, and I just want to come back to 01:54:22PM  
19 it because I've now been told what you said. You remember 01:54:26PM  
20 I showed you a spreadsheet that was entitled 'Manoj 01:54:31PM  
21 Kumar's numbers'; yes ? 01:54:36PM  
22 MR SOMYUREK: Yeah. Oh, yeah, I said - I think I said I'm not 01:54:39PM  
23 sure that they're all his, that he might be just a 01:54:42PM  
24 headline name, yeah. 01:54:44PM  
25 MR CARR: And you said you thought they were Sepal Patel's? 01:54:46PM  
26 MR SOMYUREK: I saw a lot of Patels there. I thought it might 01:54:50PM  
27 be him, yeah. 01:54:53PM  
28 MR CARR: And, just to be clear, he was employed in your 01:54:54PM  
29 electorate office during the war, from 17 January until 01:54:56PM

1 June of 2020? 01:55:01PM

2 MR SOMYUREK: Yep. That's right. 01:55:02PM

3 MR CARR: For his numbers; correct? 01:55:04PM

4 MR SOMYUREK: Well, not for the numbers he had already in the 01:55:09PM

5 system, but he was employed in my office, yeah. 01:55:13PM

6 MR CARR: Well, no, no - - - 01:55:16PM

7 MR SOMYUREK: He was employed during the war, yeah. 01:55:18PM

8 MR CARR: And he was employed because he was a recruiter and 01:55:20PM

9 you needed recruiters? 01:55:22PM

10 MR SOMYUREK: Well, he was - I didn't want the Indians to 01:55:24PM

11 recruit. They were really keen to recruit in the 01:55:28PM

12 south-east, into Holt, Cranbourne. They had it in their 01:55:30PM

13 mind that they should have Cranbourne after Jude Perera 01:55:36PM

14 left, and I was holding them back from recruiting because 01:55:40PM

15 I said, 'We will have a dispute with the Left and I'm not 01:55:42PM

16 interested in a fight with the Left.' Thereafter, I let 01:55:46PM

17 them go. Obviously in the war. 01:55:49PM

18 MR CARR: So by the time he was employed he was employed as a 01:55:55PM

19 recruiter because the war was on? 01:55:59PM

20 MR SOMYUREK: He was employed in my office, and I'm not sure if 01:56:03PM

21 he did the recruiting. I'm not sure who did the 01:56:06PM

22 recruiting. I'm not sure who did the recruiting. But 01:56:09PM

23 I do know prior to that there were a lot of Patels in the 01:56:13PM

24 system, yeah. As I said, I wasn't clear on who the 01:56:17PM

25 numbers belonged to, but I just raised the question 01:56:19PM

26 whether they were Manoj's. 01:56:21PM

27 MR CARR: Yes. Now, can we just be clear about your electorate 01:56:22PM

28 office. You had an office in Dandenong until October, 01:56:27PM

29 maybe November of 2019; yep? Correct? 01:56:35PM

1 MR SOMYUREK: Yeah, yeah. 01:56:42PM

2 MR CARR: And then you moved to what was to be a temporary 01:56:43PM

3 office at 55 St Andrews Place in Melbourne, in the CBD. 01:56:51PM

4 And, in terms of the physical location, that was in a 01:57:02PM

5 skyscraper, upstairs - up through the lift; yep? 01:57:08PM

6 MR SOMYUREK: Yep. 01:57:14PM

7 MR CARR: And to get into 55 St Andrews Place there's security, 01:57:15PM

8 you need to justify your entry, there are security gates, 01:57:21PM

9 and you need to have an appointment or something like that 01:57:24PM

10 in order to be allowed into the building; correct? 01:57:27PM

11 MR SOMYUREK: I would assume so. 01:57:29PM

12 MR CARR: Yes. And that's where your office to service your 01:57:32PM

13 constituents was located from late 2019? 01:57:37PM

14 MR SOMYUREK: Yeah, I would safely assume there was no 01:57:45PM

15 walk-ins. 01:57:50PM

16 MR CARR: Just to give us an idea of scale, wages in your 01:57:50PM

17 electorate office consumed somewhere around 200,000, maybe 01:58:01PM

18 a quarter of a million dollars a year; correct? 01:58:07PM

19 MR SOMYUREK: I don't know. 01:58:12PM

20 MR CARR: Sounds about right, doesn't it? 01:58:13PM

21 MR SOMYUREK: Okay, what I'd rather talk in terms of, Mr - 01:58:15PM

22 where I can help you more accurately, Mr Carr, is if you 01:58:18PM

23 tell me how much over the - was I over the 2.5 days that 01:58:23PM

24 I - 2.5 positions that I was entitled to? 01:58:28PM

25 MR CARR: I really just want to get an idea of the amount of 01:58:31PM

26 taxpayer funds that were spent on employing your 01:58:37PM

27 electorate officers, and I want you to either accept or, 01:58:41PM

28 if you don't accept or if you don't know, say so. What 01:58:45PM

29 I'm putting to you is that it was somewhere around between 01:58:48PM

1           \$200,000 and a quarter of a million dollars - - - 01:58:53PM

2 MR SOMYUREK: I have no idea. I only talk in terms - I only 01:58:57PM

3           know conceptually in terms of positions. 01:59:00PM

4 MR CARR: Okay. 01:59:04PM

5 MR SOMYUREK: I don't know. If you tell me 2.5 positions are 01:59:04PM

6           worth that much, it must be the case. 01:59:09PM

7 MR CARR: I want to ask you about Sadaf Hadi. Now, you 01:59:11PM

8           mentioned Ms Hadi on Monday or Tuesday as someone who was 01:59:17PM

9           a recruiter; do you recall that? 01:59:24PM

10 MR SOMYUREK: For the SDA she had recruited, yep. 01:59:27PM

11 MR CARR: Now, she was ethnically Hazara? 01:59:31PM

12 MR SOMYUREK: Yep. 01:59:35PM

13 MR CARR: That meant from your perspective that she would be 01:59:35PM

14           useful to recruit Hazaras? 01:59:41PM

15 MR SOMYUREK: I hope - I would have - I wanted her to re-engage 01:59:48PM

16           the numbers that she already had in the system, and they 01:59:52PM

17           had been dropped because of the Central Branch rule 01:59:56PM

18           changes. She had about 30 in. When she wasn't with me, 02:00:00PM

19           she was with the SDA. 02:00:03PM

20 MR CARR: And you hired her so that you could have control of 02:00:05PM

21           those numbers; correct? 02:00:10PM

22 MR SOMYUREK: No, I just - when the war happened I thought it 02:00:12PM

23           was a good thing if - you know, if those numbers - well, 02:00:15PM

24           we were told that they were all self-paying by credit 02:00:19PM

25           card, so we thought, well, they'll be good if they're back 02:00:22PM

26           on given that we're in a war now, if they, yeah, re-come 02:00:24PM

27           back on the - online. 02:00:28PM

28 MR CARR: Let's listen to clip 1-1, please, Commissioner. 02:00:30PM

29 MR SOMYUREK: Yeah, I found out later they don't pay of 02:00:39PM

[illegible]

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1 MR SOMYUREK: That's right, that's correct. 02:05:02PM  
2 MR CARR: Now, just pause for a moment. Just listen for the 02:05:02PM  
3 question, please. Now, what you're saying at the 02:05:08PM  
4 bottom - the second half of p3, if we can see from line 25 02:05:16PM  
5 onwards, Lou says, 'She's looking for work,' this is a 02:05:19PM  
6 reference to Sadaf Hadi looking for work, and you say in 02:05:25PM  
7 the last line that 'you've got to find something for her'? 02:05:31PM  
8 MR SOMYUREK: 'We've just got to find' - yeah. 02:05:38PM  
9 MR CARR: Now, that's a reference to needing to give Sadaf Hadi 02:05:41PM  
10 work because she's got numbers in Holt; correct? 02:05:45PM  
11 MR SOMYUREK: Yeah. 02:05:50PM  
12 MR CARR: All right. Let's continue playing, please. 02:05:51PM  
13 (Audio recording played to the Commission.) 02:06:05PM  
14 MR CARR: Now, could we go back to p4, please, line 10. You 02:07:29PM  
15 say, 'She's fucking valuable. If they pick her up for a 02:07:38PM  
16 couple of days' - that's a reference to a couple of days 02:07:43PM  
17 work in an electorate office; correct? 02:07:46PM  
18 MR SOMYUREK: Did I say 'they'? 02:07:49PM  
19 MR CARR: Yes. 02:07:50PM  
20 MR SOMYUREK: As in the Left or - where am I? What number are 02:07:51PM  
21 you at? 02:07:55PM  
22 MR CARR: Line 11. Can you see on the screen there are line 02:07:55PM  
23 numbers? 02:07:59PM  
24 MR SOMYUREK: Okay, yep. 02:08:06PM  
25 MR CARR: Now, what you're equating her numbers to there is a 02:08:07PM  
26 delegate's worth. What's a delegate in reference to? 02:08:13PM  
27 MR SOMYUREK: Okay, yep. Holt had about I think four 02:08:20PM  
28 delegates, as I recall it, and that would be they have 02:08:25PM  
29 half votes almost in Holt worth. Thirty delegates would 02:08:27PM

1 be - 30 votes would be almost a delegate. So what I'm 02:08:32PM  
2 saying is they can claim almost half the Right votes in 02:08:35PM  
3 Holt, is what I think I'm saying there. There's - 02:08:40PM  
4 probably the SDA and the (indistinct) Left, yeah, I'm not 02:08:42PM  
5 sure which one I'm referring to. 02:08:44PM  
6 MR CARR: What's a delegate? A delegate where? 02:08:44PM  
7 MR SOMYUREK: In Holt. 02:08:47PM  
8 MR CARR: No - - - 02:08:49PM  
9 MR SOMYUREK: Oh, to State Conference. 02:08:51PM  
10 MR CARR: Delegate to go and attend State Conference? 02:08:52PM  
11 MR SOMYUREK: Yes, State Conference, that's right. 02:08:56PM  
12 MR CARR: So what you're saying is she's got a delegate at 02:08:57PM  
13 State Conference in her hands? 02:09:01PM  
14 MR SOMYUREK: Okay, what's - no, she's not a delegate. What's 02:09:04PM  
15 important here - - - 02:09:08PM  
16 MR CARR: It's not what I asked. I'm sorry, I interrupted you. 02:09:09PM  
17 I'll let you finish. 02:09:14PM  
18 MR SOMYUREK: This is important, Mr Carr. Mr Carr, I know 02:09:15PM  
19 where you're going with this, but if you just hear me out 02:09:17PM  
20 for a reason. So what's confusing in this is - - - 02:09:20PM  
21 COMMISSIONER: Mr Somyurek, I don't want you to answer 02:09:23PM  
22 questions on the basis that you know where Counsel 02:09:25PM  
23 Assisting is going. 02:09:28PM  
24 MR SOMYUREK: Okay. 02:09:28PM  
25 COMMISSIONER: It's led us into far too much trouble already. 02:09:30PM  
26 MR SOMYUREK: Okay. All right, I'll zip it up. 02:09:32PM  
27 COMMISSIONER: Just listen to the question and answer the 02:09:34PM  
28 question. Ask the question again, Mr Carr. 02:09:39PM  
29 MR CARR: Thank you, Commissioner. (To witness) You're saying 02:09:43PM

1           that she's got a delegate's worth of votes; right? Now, 02:09:45PM  
2           what you're conveying is that she has in her hands control 02:09:54PM  
3           over a vote at State Conference; correct? 02:10:01PM  
4 MR SOMYUREK: No. 02:10:07PM  
5 MR CARR: Well, that would seem to be the plain meaning of the 02:10:11PM  
6           words you used. You go ahead and tell us why you meant 02:10:16PM  
7           something other than that? 02:10:22PM  
8 MR SOMYUREK: I'm just putting a measure on what her votes are 02:10:24PM  
9           worth; right? To me, another group picking up - so I'm 02:10:27PM  
10          saying 'they', therefore another group gets delegates. 02:10:32PM  
11          I don't care what another group gets. What I mean is in 02:10:35PM  
12          terms of Holt how that is perceived, another group, 02:10:39PM  
13          probably from the Right I'm concerned about here, probably 02:10:42PM  
14          I'm concerned that the SDA will be seen to be controlling 02:10:45PM  
15          a delegate in Holt. Now, in a situation where you've only 02:10:48PM  
16          got three or four delegates, they become a key stakeholder 02:10:55PM  
17          in Holt; do you see what I'm saying? Otherwise I'm not - 02:10:59PM  
18          otherwise I care about the delegates we've got. I don't 02:11:02PM  
19          care about the delegates that another grouping has got, 02:11:04PM  
20          under normal circumstances. But, here, all of a sudden 02:11:06PM  
21          they would be seen to be a key stakeholder in Holt. 02:11:10PM  
22          I wanted to keep them out. 02:11:15PM  
23 MR CARR: But your position is just a couple of moments earlier 02:11:18PM  
24          you've been told she's looking for work, you've said, 02:11:25PM  
25          'We've got to find something for her', we've already 02:11:28PM  
26          covered that, and you are mentioning that she's got a 02:11:31PM  
27          delegate's worth? 02:11:35PM  
28 MR SOMYUREK: Yep. 02:11:36PM  
29 MR CARR: And what you're considering is recruiting her so that 02:11:37PM

1           you get her delegate's worth of numbers; correct? 02:11:46PM

2 MR SOMYUREK: The play with Holt - remember the - remember the 02:11:51PM

3           text messages of Anthony Byrne that he says he's going to 02:11:53PM

4           retire? Now, if she - if she - if they've got 30 votes, 02:11:57PM

5           if they've got a delegate in Holt, if another group in the 02:12:01PM

6           Right, like the SDA, because she was with the SDA, if they 02:12:04PM

7           got a delegate in Holt and we've also got one delegate, 02:12:08PM

8           they'll come to the table and say, 'Well, you know, we've 02:12:11PM

9           got numbers there. We demand that we're going to pick the 02:12:14PM

10          next member for Holt'; okay? So they become a stakeholder 02:12:17PM

11          all of a sudden in Holt. So that's what I was trying to 02:12:22PM

12          avert. Otherwise I would have said, 'Hey, look, she's got 02:12:25PM

13          a delegate's worth. We need to get her.' But I say, 'If 02:12:28PM

14          they pick up her a couple of days, that's a delegate's 02:12:32PM

15          worth.' 'They'; okay? I could have said, 'Hey, that's a 02:12:35PM

16          delegate's worth. Let's not let her go. We need that 02:12:39PM

17          delegate.' There is - there is a strong nuance there 02:12:42PM

18          that's very difficult to understand unless you're in the 02:12:47PM

19          business. 02:12:50PM

20 MR CARR: What you do say just a moment later is, 'That covers 02:12:50PM

21          off. I've always been worried about the Hazaras, and she 02:12:53PM

22          [REDACTED] 02:13:00PM

23          [REDACTED] [REDACTED] 02:13:01PM

24          [REDACTED] [REDACTED] 02:13:04PM

25          [REDACTED] 02:13:08PM

26          [REDACTED] 02:13:10PM

27          [REDACTED] 02:13:14PM

28          [REDACTED] 02:13:20PM

29          [REDACTED] [REDACTED] 02:13:20PM

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1 put it more clearly. As I understand your evidence, 02:15:08PM  
2 you've said that those text messages on 24 December are 02:15:14PM  
3 the moment that you realise that the Left has been 02:15:17PM  
4 stacking and you say that you start stacking in response 02:15:22PM  
5 after that; correct? 02:15:26PM  
6 MR SOMYUREK: Correct, but it's not completely accurate. 02:15:29PM  
7 Remember, they had raided the branch on 24 December to 02:15:32PM  
8 really make it into a - to change the status into a war 02:15:36PM  
9 situation, otherwise it could have still been negotiated 02:15:40PM  
10 through. 02:15:43PM  
11 MR CARR: Yeah, because on 23 December, the day prior, you've 02:15:44PM  
12 been recorded talking about Ms Hadi turning members up to 02:15:50PM  
13 branch meetings? 02:16:01PM  
14 MR SOMYUREK: Yep. 02:16:02PM  
15 MR CARR: Which suggests that you're turning up members to 02:16:04PM  
16 branch meetings in the south-east before you say there's a 02:16:09PM  
17 war on that you're aware of? 02:16:15PM  
18 MR SOMYUREK: No. What we've got is a series of text messages 02:16:18PM  
19 going back to February 2019 from Adam Sullivan informing 02:16:25PM  
20 me that the Left are putting people through. I'm not 02:16:30PM  
21 worried about it. Then it's starting to get serious in 02:16:35PM  
22 about October. In November I've got a text message 02:16:38PM  
23 saying, 'What are our branches? Tell me which are our 02:16:41PM  
24 branches in the south-eastern suburbs.' There's a clear 02:16:43PM  
25 text message me in 22 November trying to find out what our 02:16:46PM  
26 branches are in the south-east. From thereon I'm thinking 02:16:51PM  
27 we're probably going to have to retaliate. Up until that 02:16:54PM  
28 point - and then from thereon Lou has been doing a 02:16:58PM  
29 rearguard action against the Left, not that successful, 02:17:04PM

1 mind you, but she's been trying, and throughout December 02:17:08PM  
2 there's been some action. But on 23 December 02:17:13PM  
3 Mr Lee Tarlamis and I met in my office in 02:17:22PM  
4 Exhibition Street. I presented him some figures about 02:17:24PM  
5 what the Left have recruited. He denied those - he said 02:17:29PM  
6 they were wrong. I said, 'Okay, let's reconvene. I'll go 02:17:33PM  
7 back and check those figures myself,' because 02:17:37PM  
8 Adam Sullivan had given me those figures, I think. 02:17:40PM  
9 I checked the figures. On 24 December I found that they 02:17:42PM  
10 had gone crazy recruiting. But in the meantime we knew 02:17:48PM  
11 they had recruited much more than us. I've got a series 02:17:52PM  
12 of text messages, which I will sort of show you when we 02:17:55PM  
13 get the opportunity to, detailing how many they had 02:17:57PM  
14 already recruited. But on 24 December I actually - the 02:18:00PM  
15 ministry - my stakeholders are gone, my ministry had wound 02:18:05PM  
16 down. So I sat down and had a great - good look at the 02:18:09PM  
17 figures myself, and they had recruited a lot of people, 02:18:12PM  
18 and I sent Lee Tarlamis a very dirty message saying that 02:18:14PM  
19 the Left had, you know, gone crazy stacking, and then a 02:18:18PM  
20 couple of hours later they raided the branch. 02:18:22PM  
21 MR CARR: Can I take it from that lengthy response, 02:18:27PM  
22 Mr Somyurek, that you had been stacking to some degree in 02:18:30PM  
23 the latter months of 2019? 02:18:36PM  
24 MR SOMYUREK: There was some activity in December, yes. 02:18:40PM  
25 MR CARR: All right. Could we listen then to - - - 02:18:43PM  
26 COMMISSIONER: I think we need to be clear. This is increased 02:18:47PM  
27 stacking? The renewal process had continued on - - - 02:18:52PM  
28 MR SOMYUREK: Yeah, okay - - - 02:18:59PM  
29 [REDACTED] [REDACTED] 02:19:00PM

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02:23:15PM  
02:23:20PM

I've got more into it, and then December 24 is when it all explodes.

COMMISSIONER: Yes.

MR CARR: Can we listen to clip 21-1, please, Commissioner.

This is 11 March 2020, Mr Somyurek.

(Audio recording played to the Commission.)

MR CARR: Now, can we go back to the start, line 5. Now you can follow the transcript. Ms Hadi's asking for more work at your electorate office, and your consideration is,



1 'Well, how many numbers has she brought in'; correct? 02:23:27PM

2 MR SOMYUREK: Look, that's clear. Who knows what I've done 02:23:31PM

3 during that period. It's all like - yes, it's all indexed 02:23:34PM

4 towards - it's all indexed towards the war. 02:23:38PM

5 MR CARR: When you say 'who knows what I've done during that 02:23:41PM

6 period', you know what you've done? 02:23:44PM

7 MR SOMYUREK: Yes, I meant - well, I don't. This is reminding 02:23:46PM

8 me. I wouldn't have. You've just reminded me. I think 02:23:47PM

9 that's pretty clear that I'm considering - considering now 02:23:50PM

10 getting really, like, we can't afford to lose her, we need 02:23:54PM

11 to keep her, whatever we need to do, yeah. 02:23:58PM

12 MR CARR: From line 15, you mentioned in your evidence on 02:24:00PM

13 Monday or Tuesday that Pira Wickiramsingham, your staffer, 02:24:10PM

14 was someone who did not recruit in your office; remember 02:24:19PM

15 that? 02:24:22PM

16 MR SOMYUREK: Yeah. 02:24:24PM

17 MR CARR: And the reason he didn't have to recruit was because 02:24:24PM

18 his father was a recruiter? 02:24:28PM

19 MR SOMYUREK: His dad hasn't recruited for 15 years. 02:24:31PM

20 MR CARR: And it's because his dad wasn't doing anything on 02:24:34PM

21 that front that you thought you'd get rid of his son; 02:24:40PM

22 correct? 02:24:46PM

23 MR SOMYUREK: No, because his dad hasn't been recruiting for 02:24:47PM

24 15 years. 02:24:51PM

25 MR CARR: Yes, but what you needed - what you needed was to get 02:24:51PM

26 value for these electorate officer jobs that you're 02:24:55PM

27 handing out, and his son wasn't bringing you any value; 02:24:59PM

28 correct? 02:25:04PM

29 MR SOMYUREK: Yeah, well, potentially. It is what it is, 02:25:16PM

1 Mr Carr. It doesn't look - yeah, it looks - it looks like 02:25:20PM  
2 an accurate description. 02:25:24PM  
3 MR CARR: Can we go down - - - 02:25:26PM  
4 COMMISSIONER: See, what you've done there is you've inverted 02:25:29PM  
5 the process, Mr Somyurek. For you, value for money is not 02:25:31PM  
6 value for money in bringing someone into your office that 02:25:38PM  
7 will support your discharge of public duties; for you, 02:25:42PM  
8 value for money is how much use will they be to you as a 02:25:46PM  
9 factional operative? 02:25:51PM  
10 MR SOMYUREK: Okay. 02:25:53PM  
11 COMMISSIONER: Is that not correct? 02:25:56PM  
12 MR SOMYUREK: Yep, it's consistent with how I was introduced to 02:25:57PM  
13 politics, yep. 02:25:59PM  
14 COMMISSIONER: Yes. 02:26:01PM  
15 MR CARR: I tender that, Commissioner. 02:26:02PM  
16 COMMISSIONER: That will be 95. 02:26:05PM  
17 02:26:06PM  
18 #EXHIBIT 95 - Clip 21-1, conversation from 11/03/21. 02:26:06PM  
19 MR CARR: Now, can I just draw your attention in this context 02:26:08PM  
20 to another statutory provision governing your conduct at 02:26:11PM  
21 this time. Section 13(2)(a) of the Members of Parliament 02:26:16PM  
22 (Standards) Act required that members 'act ethically, 02:26:29PM  
23 reasonably and in good faith when using, and accounting 02:26:34PM  
24 for the use of, public resources in relation to the 02:26:40PM  
25 performance of their public duties '. Now, given the 02:26:42PM  
26 concessions you've made to date, I expect that you'd 02:26:47PM  
27 accept that you were in breach of that obligation? 02:26:52PM  
28 MR SOMYUREK: Yeah. Obviously, the caveat I put on it is the 02:26:59PM  
29 big test I put on it is my political appointments thing. 02:27:01PM

1 But, you know, I would - look, I've just heard, you 02:27:08PM  
2 know - yeah. 02:27:19PM  
3 MR CARR: You're not behaving ethically, reasonably and in good 02:27:30PM  
4 faith, are you? 02:27:34PM  
5 MR SOMYUREK: I can see - I can see why that could be said. 02:27:41PM  
6 COMMISSIONER: No, that's not an answer, Mr Somyurek. 02:27:45PM  
7 MR SOMYUREK: All right. 02:27:47PM  
8 COMMISSIONER: You either have a view that you were acting 02:27:49PM  
9 ethically, reasonably, and in good faith or you were not? 02:27:53PM  
10 MR SOMYUREK: There is a direct line - there is a 02:28:07PM  
11 correlation - there appears to be a correlation between my 02:28:09PM  
12 willingness to put her on and the factional war we were 02:28:11PM  
13 having. So one might view that not to be ethical. 02:28:17PM  
14 COMMISSIONER: But this is not just about her, Mr Somyurek. 02:28:21PM  
15 We've now had countless examples of you being primarily 02:28:26PM  
16 influenced by the operational value of someone that you 02:28:34PM  
17 bring onto your staff. Have we not had countless examples 02:28:39PM  
18 of it now? 02:28:44PM  
19 MR SOMYUREK: We have. Yeah. But, you know - we have, but I'm 02:28:45PM  
20 not the only one, and that's exactly how I was employed in 02:28:52PM  
21 the system myself, Commissioner. So, yes, I'll be 02:28:59PM  
22 condemned with everyone else. 02:29:01PM  
23 COMMISSIONER: Do you still stick with the claim that you made 02:29:03PM  
24 I think on your first day of evidence that to your - in 02:29:09PM  
25 your belief everyone else was using their electoral staff 02:29:15PM  
26 in these sorts of ways; you weren't doing anything 02:29:20PM  
27 different? 02:29:23PM  
28 MR SOMYUREK: Well, I delineated on the first day how I became 02:29:26PM  
29 a staffer, what Anthony Byrne was doing when he was 02:29:31PM

1 recruiting people, and how he did a deal with the various 02:29:36PM  
2 recruiters before they turned up, so that they turned 02:29:41PM  
3 members up and they got a job in his office. So, yeah. 02:29:45PM  
4 COMMISSIONER: Yes, I had in mind your evidence that after the 02:29:52PM  
5 Ombudsman's report of 2018 you, like, as I took your 02:29:57PM  
6 evidence, members generally in parliament, took the view 02:30:05PM  
7 that that was a green light to continue rorting? 02:30:10PM  
8 MR SOMYUREK: I didn't say rorting. I just said the 02:30:15PM  
9 interpretation of 30(4) was the duties - that goes to the 02:30:18PM  
10 duties and responsibilities of the electoral officer, 02:30:26PM  
11 right, for factional purposes. This appears to be about 02:30:30PM  
12 motivation on actually recruiting - well, hiring staff; is 02:30:34PM  
13 that right? This goes to the motivation of hiring staff 02:30:41PM  
14 rather than their duties and responsibilities. 02:30:45PM  
15 COMMISSIONER: The two are interrelated, aren't they? 02:30:48PM  
16 MR SOMYUREK: Yep. 02:30:52PM  
17 COMMISSIONER: So, Mr Somyurek, I do remind you that - and 02:30:56PM  
18 I suggest to you this is a litmus test of how others in 02:31:04PM  
19 parliament viewed the notion of using either electoral 02:31:07PM  
20 staff or ministerial advisers for factional purposes 02:31:12PM  
21 during working hours. I do remind you of what immediately 02:31:17PM  
22 happened following the 60 Minutes program and The Age is 02:31:22PM  
23 you had the Attorney-General referred a complaint to IBAC? 02:31:31PM  
24 MR SOMYUREK: Yep. 02:31:37PM  
25 COMMISSIONER: You had the Clerk of the Legislative Council 02:31:40PM  
26 writing to the Victorian Ombudsman concerned with what had 02:31:44PM  
27 emerged in that program, you then had the Secretary to the 02:31:48PM  
28 Department of Premier and Cabinet providing a mandatory 02:31:52PM  
29 notification to IBAC of alleged corrupt conduct, and you 02:31:56PM

1 had the Leader of the Opposition making a complaint to 02:32:02PM  
2 IBAC; so all within a very short space of time. That 02:32:07PM  
3 doesn't suggest, does it, that other members of parliament 02:32:11PM  
4 viewed your conduct as the norm? 02:32:15PM  
5 MR SOMYUREK: Well, I think 60 Minutes program was about a lot 02:32:19PM  
6 of issues. No-one expected the 60 Minutes program to be 02:32:23PM  
7 really about staffers. It was about - more about - to the 02:32:27PM  
8 political stuff, it wasn't about staffers at all, because 02:32:34PM  
9 that was after hours; okay? You've only come across this 02:32:37PM  
10 stuff after looking at my text messages. Now, I said to 02:32:40PM  
11 you - I gave evidence on Monday, I mentioned about four 02:32:45PM  
12 names who were faction secretaries and were also employed 02:32:49PM  
13 as ministerial advisers. One of them, to his credit, on 02:32:54PM  
14 Wednesday came out in the papers, in The Australian, and 02:32:59PM  
15 said that he was a factional secretary and working in a 02:33:02PM  
16 minister's office, and the other four would say the same 02:33:04PM  
17 too, especially if they had - you know, if they were 02:33:09PM  
18 hauled before IBAC. Commissioner, if you're insinuating 02:33:12PM  
19 that I'm the only one that sort of participated in this 02:33:15PM  
20 faction, you're wrong. There's a lot of hypocrisy. 02:33:19PM  
21 I told you how I got - how I was - - - 02:33:22PM  
22 COMMISSIONER: Yes. Mr Somyurek, this is not an opportunity to 02:33:25PM  
23 generally make a speech. I'm seeking to address what 02:33:30PM  
24 I understood to be your evidence in the first two days, 02:33:33PM  
25 and I'm pointing out to you that the general response to 02:33:38PM  
26 the program and the information that was published in the 02:33:43PM  
27 media which related to the misuse, the alleged misuse, of 02:33:47PM  
28 public funds for factional purposes, I'm simply pointing 02:33:54PM  
29 out to you what the cross-section response was to that, 02:33:59PM

1           which doesn't rather suggest a view that existed within           02:34:05PM  
2           parliament that it was okay to do something like that?           02:34:08PM  
3   MR SOMYUREK:   There were various elements to that 60 Minutes           02:34:14PM  
4           report, and staffers attending branch meetings as           02:34:16PM  
5           scrutineers, no-one thought that was a problem because it           02:34:20PM  
6           was after hours.   So, I mean, what you've done is dig           02:34:23PM  
7           deeper and found text messages, et cetera, over four years           02:34:26PM  
8           and other communication.   Now, that night the journalist           02:34:32PM  
9           had in his possession recordings of staffers after hours;           02:34:38PM  
10          right?   So it wasn't about staffers really; it was about           02:34:44PM  
11          branch stacking, that story, and the fact that I had taken           02:34:48PM  
12          over the whole Labor Party and I controlled two-thirds of           02:34:54PM  
13          the membership.   That would be 11,400 members that           02:34:57PM  
14          I controlled and paid for, potentially a big crime - - -           02:35:00PM  
15   COMMISSIONER:   But, Mr Somyurek, nobody at any point of time           02:35:05PM  
16          then or thereafter has suggested that breaching party           02:35:10PM  
17          rules in relation to branch stacking, whilst unethical,           02:35:14PM  
18          constitutes corrupt conduct?           02:35:19PM  
19   MR SOMYUREK:   Yeah, but the implication of me running around           02:35:24PM  
20          branch stacking until I got two-thirds, that is 11,400           02:35:27PM  
21          members, control the party, and then somehow paid for           02:35:31PM  
22          them, that would have been a million dollars a year.           02:35:34PM  
23          People were concerned that what I had is a slush fund or           02:35:36PM  
24          on the take from developers, and the suitcases full of           02:35:40PM  
25          money that you guys uncovered in Casey would have also           02:35:43PM  
26          been uncovered by IBAC with an investigation on me, and           02:35:47PM  
27          I'm sure you haven't uncovered suitcases of money.           02:35:51PM  
28   COMMISSIONER:   Yes, Mr Carr.           02:35:57PM  
29   MR CARR:   Let's just deal with that very quickly.   You weren't           02:35:58PM

1 a man who wanted to get rich; you were a man who wanted to 02:36:02PM  
2 get power, Mr Somyurek? 02:36:08PM  
3 MR SOMYUREK: No. I had my power. Mr Carr, what greater power 02:36:11PM  
4 than sitting within - with 21 other colleagues in the 02:36:16PM  
5 executive and locking people down, depriving their 02:36:20PM  
6 liberties, 6.5 million people, being part of that 22. You 02:36:26PM  
7 can lock people down. What greater power than that. What 02:36:29PM  
8 greater power than being able to restructure a whole 02:36:33PM  
9 separate level of government. That's the power I had in 02:36:36PM  
10 the executive, Mr Carr. You know, what I was doing in the 02:36:38PM  
11 organisation? I was speaking to - do you remember the 02:36:42PM  
12 Hakki email, text message. That's what I was doing. 02:36:45PM  
13 I was having to put up with extortionists and people that 02:36:50PM  
14 had all types of grievances, that were threatening to walk 02:36:52PM  
15 out of the faction, and that would go through me and shout 02:36:56PM  
16 at me. I was a battering ram. There was no power 02:36:58PM  
17 attached to that, I can tell you. There was absolutely no 02:37:01PM  
18 power attached to it. What I did want was a united Right 02:37:05PM  
19 . But the position I had built up was the glue that held 02:37:08PM  
20 the Right together, and without me, after I left, there is 02:37:12PM  
21 no united Right. They're all gone. They're all off on a 02:37:14PM  
22 - you know, they're all fighting each other again, because 02:37:16PM  
23 it was me holding it together. You know why? Because 02:37:18PM  
24 I was willing to be a battering ram. They were shouting 02:37:21PM  
25 at me. They had all types of grievances, but I was 02:37:24PM  
26 holding it together. Now, power is sitting in an 02:37:28PM  
27 executive with your white chauffeur-driven car and all the 02:37:30PM  
28 other perks that come with it. So that is power. 02:37:34PM  
29 Executive power is the only power in politics, not doing 02:37:36PM

1           what I did on the organisational front. That was just 02:37:39PM  
2           hack work, and I had to do it because I believed in a 02:37:41PM  
3           united Right; all right? Executive power is the only 02:37:44PM  
4           power in politics. 02:37:46PM  
5   COMMISSIONER: Thank you. Yes, Mr Carr. 02:37:48PM  
6   MR CARR: Could I ask that we play, please, clip 32-1, 02:37:51PM  
7           Commissioner? 02:37:55PM  
8   MR SOMYUREK: Is this me boasting? 02:38:13PM  
9   MR CARR: This is on 4 June, Mr Somyurek. 02:38:19PM  
10                   (Audio recording played to the Commission.) 02:38:33PM  
11   MR CARR: Now, your perturbation that it would get really messy 02:39:49PM  
12           if Sadaf revealed that she got a job for her numbers 02:39:55PM  
13           indicates, doesn't it, Mr Somyurek, that you well knew 02:40:08PM  
14           that if this operation you were running came to light you 02:40:15PM  
15           would be in some strife? 02:40:21PM  
16   MR SOMYUREK: No, we're dealing with a media organisation. 02:40:24PM  
17           You're dealing with 60 Minutes. This is a program that 02:40:26PM  
18           paid people to kidnap other people's children overseas. 02:40:29PM  
19           So, you know, if you want a moral vacuum, there's the 02:40:32PM  
20           60 Minutes program for you. I know what you must think of 02:40:36PM  
21           me. But the fact is we're not dealing with an integrity 02:40:38PM  
22           body. We're dealing with a commercial programmer who's 02:40:42PM  
23           out there to make money, who's out there to commercialise. 02:40:44PM  
24           Go and look at their Lebanon sort of venture. That's who 02:40:48PM  
25           we're dealing with. 02:40:51PM  
26   COMMISSIONER: Mr Somyurek, I'm sure you appreciate that's 02:40:53PM  
27           really not - - - 02:40:56PM  
28   MR SOMYUREK: Sorry, I withdraw - - - 02:40:57PM  
29   COMMISSIONER: Not a helpful response. 02:40:59PM



1 MR SOMYUREK: All right. Sorry. 02:41:00PM  
2 COMMISSIONER: You need to try to answer the question. 02:41:01PM  
3 MR SOMYUREK: Look, okay. So the question, specifically the 02:41:02PM  
4 question, Mr Carr, is? 02:41:05PM  
5 MR CARR: You were worried about it getting really messy 02:41:09PM  
6 because you knew very well what you were engaging in was 02:41:13PM  
7 improper? 02:41:18PM  
8 MR SOMYUREK: I just said (indistinct) there. I don't know. 02:41:23PM  
9 But obviously I was worried what the 60 Minutes program 02:41:27PM  
10 would do. When 60 Minutes program decides to do a job on 02:41:30PM  
11 you they leave no doubt; they leave a mess behind. So she 02:41:35PM  
12 was - you know, I was worried. 02:41:39PM  
13 MR CARR: You were worried that the truth of what you had done 02:41:41PM  
14 in relation to this particular issue might be revealed. 02:41:46PM  
15 MR SOMYUREK: No, I was trying to keep it tight. I was trying 02:41:52PM  
16 to - I was trying to make sure that they had no material, 02:41:55PM  
17 you know. Images of ethnic minorities they love. They 02:41:58PM  
18 love the optics of the head scarfs and, you know, African 02:42:03PM  
19 people and stuff like that. So I was just trying to make 02:42:08PM  
20 sure it was all kept tight. 02:42:14PM  
21 MR CARR: I tender that, Commissioner. 02:42:16PM  
22 MR SOMYUREK: They wouldn't care if you got a job. They're 02:42:18PM  
23 more interested in the other stuff. 02:42:21PM  
24 COMMISSIONER: I imagine, Mr Somyurek, that in order to achieve 02:42:31PM  
25 some expedition in questions Mr Carr's not taking you back 02:42:37PM  
26 to some of the commentary in that passage as we looked at 02:42:42PM  
27 it. But it rather suggests on its face that you were 02:42:47PM  
28 aware that there were things that Sadaf could say that you 02:42:51PM  
29 would not want disclosed? 02:42:55PM

1 MR SOMYUREK: No, it's not that. It's you've got a 60 Minutes 02:42:59PM  
2 program who was going to do a hatchet job on me - - - 02:43:03PM  
3 COMMISSIONER: All right. I understand - - - 02:43:06PM  
4 MR SOMYUREK: It was a matter of keeping it tight. It's just - 02:43:07PM  
5 it's simple media management. 02:43:09PM  
6 COMMISSIONER: You've said that. You don't accept that the 02:43:11PM  
7 conversation suggests you were concerned about anything 02:43:13PM  
8 she might say? 02:43:16PM  
9 MR SOMYUREK: It's - I was concerned she'll fall to pieces with 02:43:17PM  
10 the 60 Minutes crew. I can tell you as an experienced 02:43:22PM  
11 politician they ran to me at my house with a big blue van 02:43:25PM  
12 and a camera crew running at me. It's pretty - it's, you 02:43:29PM  
13 know - - - 02:43:33PM  
14 COMMISSIONER: All right. Yes, Mr Carr. 02:43:34PM  
15 MR CARR: I tender that. 02:43:38PM  
16 COMMISSIONER: That's 96. 02:43:39PM  
17 02:43:40PM  
18 #EXHIBIT 96 - Clip 32-1, audio recording and transcript dated 02:43:40PM  
19 04/06/20. 02:43:40PM  
20 MR CARR: And can we listen then to 33-1, also on 4 June, 02:43:40PM  
21 Commissioner. 02:43:47PM  
22 MR SOMYUREK: Sorry, Mr Carr, when was this? 02:43:47PM  
23 COMMISSIONER: 4 June 20, Mr Somyurek. 02:44:18PM  
24 (Audio recording played to the Commission.) 02:44:41PM  
25 MR SOMYUREK: Can you please hold for a sec? 02:45:18PM  
26 (Audio recording played to the Commission .) 02:45:24PM  
27 MR CARR: Now, Mr Somyurek, you accept that what you and Lou 02:46:07PM  
28 are discussing is your plan to keep Ms Hadi quiet? 02:46:13PM  
29 MR SOMYUREK: We weren't breaking any rules - it wasn't laws. 02:46:23PM

1           So it was just the case of - they had - like, they had a           02:46:26PM  
2           60 Minutes crew at their house or someone's house that was           02:46:31PM  
3           going around. So she was obviously traumatised - - -           02:46:35PM  
4   MR CARR: I'm sorry, Mr Somyurek, this probably is a 'yes' or           02:46:38PM  
5           'no' question.           02:46:40PM  
6   MR SOMYUREK: Okay. Rephrase it.           02:46:42PM  
7   MR CARR: You accept that you are discussing there your plan to           02:46:43PM  
8           keep Ms Hadi quiet?           02:46:48PM  
9   MR SOMYUREK: That insinuates that something illegal happened.           02:46:55PM  
10           It was just to calm her down, to just settle.           02:46:59PM  
11   MR CARR: All right. Let's go back to the top of p3. What you           02:47:05PM  
12           said is this, 'What I said to her [that's to Ms Hadi] is           02:47:14PM  
13           this. I said, "Look, if you don't, if you're stressed,           02:47:21PM  
14           I can see you're stressed, you don't have to recruit           02:47:26PM  
15           anymore."'           02:47:31PM  
16   MR SOMYUREK: Yep.           02:47:32PM  
17   MR CARR: "'I like you. You stay on. All right? You           02:47:33PM  
18           don't - you don't have to recruit.'" Now, the 'I like           02:47:40PM  
19           you, you stay on' means 'you keep your job in my           02:47:45PM  
20           electorate office', doesn't it'?           02:47:53PM  
21   MR SOMYUREK: Yep, yeah - - -           02:47:55PM  
22   MR CARR: And what you're saying to her is, which you're saying           02:47:57PM  
23           to Lou in this conversation, is reporting what you've said           02:48:00PM  
24           to Ms Hadi which is that she can keep her job in your           02:48:03PM  
25           electorate office and she doesn't have to recruit anymore?           02:48:08PM  
26   MR SOMYUREK: Yes. If she thinks that she has to recruit to           02:48:15PM  
27           stay in my office, I just sort of said, 'Look, it's not           02:48:19PM  
28           about recruiting. You can stay on.' I recall sort of           02:48:22PM  
29           having that conversation with her, just to say -           02:48:24PM

1 I remember saying to her - she was really distressed. Now 02:48:26PM  
2 I recall. And I recall saying to her, 'Look, just don't 02:48:28PM  
3 worry about that stuff anymore. It's fine. Just 02:48:31PM  
4 concentrate on other things.' I recall saying something 02:48:34PM  
5 like that. But you would have recordings maybe of that 02:48:36PM  
6 too. 02:48:38PM  
7 MR CARR: Let me just make sure I understand correctly. Are 02:48:39PM  
8 you saying that you had a conversation in which you 02:48:44PM  
9 dispelled Ms Hadi's misapprehension that her job was to 02:48:48PM  
10 recruit; is that what you're saying? 02:48:53PM  
11 MR SOMYUREK: Well, I said there - what I said to her is this. 02:48:56PM  
12 That's the conversation I'm referring to. 02:48:59PM  
13 MR CARR: And are you saying that that's dispelling a 02:49:01PM  
14 misapprehension held by Ms Hadi? 02:49:05PM  
15 MR SOMYUREK: I'm not saying it's a misapprehension, no. She 02:49:07PM  
16 was a recruiting. 02:49:10PM  
17 MR CARR: Yes, and that was the job? 02:49:11PM  
18 MR SOMYUREK: No, it wasn't. No, it wasn't the job. The job 02:49:13PM  
19 was to work in the office. 02:49:16PM  
20 MR CARR: 'You don't have to recruit anymore.' That means, 02:49:23PM  
21 'You have had to recruit, but I'm no longer requiring it 02:49:31PM  
22 of you;' isn't that right? 02:49:36PM  
23 MR SOMYUREK: I wouldn't be too - I wouldn't be too hung up on 02:49:39PM  
24 my language. I can be very imprecise with my language, 02:49:42PM  
25 Mr Carr. 02:49:46PM  
26 MR CARR: No, it's not the question - - - 02:49:47PM  
27 MR SOMYUREK: And it could be grammatically incorrect too. 02:49:49PM  
28 So - - - 02:49:50PM  
29 MR CARR: It's not a question of imprecision of language. 02:49:50PM

1           You've - - - 02:49:52PM

2   MR SOMYUREK:   Okay, let's just agree on a - - - 02:49:52PM

3   COMMISSIONER:   Please, gentlemen, please don't talk over each 02:49:54PM

4           other.   One at a time. 02:49:57PM

5   MR CARR:   Sorry, Commissioner.   Now - - - 02:50:03PM

6   MR SOMYUREK:   I have a pathology in my language, being precise 02:50:05PM

7           with my language.   So don't get hung up on it.   But the 02:50:08PM

8           general proposition, yes, she was recruiting, she was 02:50:12PM

9           working for me as broadly - she came across my radar 02:50:15PM

10          because she had already recruited, let's be frank, which 02:50:20PM

11          is entirely consistent with the culture that I had grown 02:50:23PM

12          up in the party with. 02:50:26PM

13   MR CARR:   We've already covered that she was hired because she 02:50:28PM

14          was a recruiter, and what you're saying here is that under 02:50:31PM

15          the pressure of the impending media storm you said to 02:50:38PM

16          Ms Hadi, 'Listen, you can keep your job without you having 02:50:47PM

17          to recruit anymore'? 02:50:50PM

18   MR SOMYUREK:   Yep, I wanted to spell that out to her, right, 02:50:54PM

19          because we had stopped recruiting by now.   We had stopped 02:50:56PM

20          recruiting.   She was in my office.   It was over.   It was 02:51:00PM

21          over March 20.   This was months later.   So she was just so 02:51:03PM

22          nervous I said, 'Look' - this was - when's this?   June 4, 02:51:09PM

23          yeah? 02:51:16PM

24   COMMISSIONER:   Yes. 02:51:16PM

25   MR SOMYUREK:   Recruiting had stopped in March, or late February 02:51:17PM

26          for us.   So this is months later.   Basically, 'Don't worry 02:51:19PM

27          about that stuff.'   She was a nervous - she was nervous. 02:51:22PM

28          She had 60 Minutes chasing her.   Recruiting hadn't 02:51:25PM

29          happened for a long time.   She was still in my office. 02:51:28PM

1 She wasn't worried about getting sacked. I just told her, 02:51:30PM  
2 sort of, 'Don't worry about the recruiting stuff. You're 02:51:33PM  
3 fine.' She knew she was fine. She was in my office four 02:51:35PM  
4 months, five months after there was no recruiting. 02:51:41PM  
5 MR CARR: It's a strange thing to describe that sort of 02:51:47PM  
6 conversation in the context of the media pressure we've 02:51:50PM  
7 described as, 'I said, "You don't have to recruit anymore. 02:51:56PM  
8 I like you. You stay on."' Do you see the inconsistency 02:52:07PM  
9 between what you've said in your answer and your reportage 02:52:13PM  
10 to Lou of what's happening? 02:52:21PM  
11 MR SOMYUREK: All I can say to you is don't get hung up on 02:52:33PM  
12 every word. My language can be imprecise. I think I'm a 02:52:36PM  
13 good writer, but I can be - I can use shorthand and 02:52:42PM  
14 imprecise language when I speak verbally. And I think the 02:52:47PM  
15 Commission has been struggling with my verbal 02:52:52PM  
16 communication skills. So I think you can attest to that. 02:52:55PM  
17 But I'm willing to accept what you - if your take is that 02:52:57PM  
18 I've said to her, 'From now on you don't have to 02:53:02PM  
19 recruit' - the only caveat I'll put on that is this. 02:53:05PM  
20 Recruiting stopped in February. She hadn't been 02:53:10PM  
21 recruiting for four months. Do you see my point? If you 02:53:14PM  
22 just recognise and acknowledge that a little bit we'll 02:53:16PM  
23 move on. Okay, I've said it. But she hadn't been 02:53:18PM  
24 recruiting for four months. And the party wasn't due to 02:53:20PM  
25 get back for a while. So I think I was just reacting to 02:53:21PM  
26 her emotional state when the 60 Minutes program sort of 02:53:25PM  
27 started knocking on her door. She was - I guess I felt a 02:53:28PM  
28 bit guilty too. Like, she was an emotional wreck. 02:53:32PM  
29 MR CARR: I'm not going to stay on this for much longer, but 02:53:35PM

1 I just want you to have every opportunity to respond to 02:53:38PM  
2 what I'm putting to you, and I want to make sure it's very 02:53:42PM  
3 clear what I'm putting to you, that your language is 02:53:47PM  
4 incapable of any rational explanation except for 02:53:49PM  
5 this: that Ms Hadi's job was to recruit and that you have, 02:53:55PM  
6 under the pressure of the media storm you were 02:54:04PM  
7 confronting, conveyed to Ms Hadi that from now on she 02:54:09PM  
8 doesn't have to recruit but she can keep her job. Now, 02:54:16PM  
9 you understand what I've put to you? 02:54:19PM  
10 MR SOMYUREK: Yeah. 02:54:21PM  
11 MR CARR: It's your position that that's not right? 02:54:21PM  
12 MR SOMYUREK: The fact is she had - there was one month of 02:54:41PM  
13 branch work. From then on she hadn't recruited anyway. 02:54:41PM  
14 So by June 4, that one month of activity in February - in 02:54:42PM  
15 January, February, was here ancient history to her, to us; 02:54:45PM  
16 right? So that's the only - I understand how the language 02:54:49PM  
17 looks, Mr Carr, but just please take it from my 02:54:52PM  
18 perspective it was four or five months of inactivity. So 02:54:56PM  
19 you've also got to factor that in. 02:55:00PM  
20 MR CARR: I tender that recording, Commissioner. 02:55:04PM  
21 COMMISSIONER: 97. 02:55:07PM  
22 02:55:08PM  
23 #EXHIBIT 97 - Clip 33-1, audio recording and transcript dated 02:55:09PM  
24 04/06/20. 02:55:09PM  
25 MR CARR: I'm about to move on to another topic. I don't see 02:55:09PM  
26 Mr Gullaci jumping up. 02:55:12PM  
27 COMMISSIONER: Mr Gullaci, I just note that once or twice 02:55:15PM  
28 Mr Somyurek has said in the course of an answer he's made 02:55:19PM  
29 reference to something else that he wants to say or that's 02:55:26PM

1 later going to be addressed. I am concerned that if you 02:55:30PM  
2 think that there is material that Mr Somyurek should 02:55:34PM  
3 advert to, that I'd much prefer it's done now and not at 02:55:38PM  
4 the end of the exercise, which then becomes very 02:55:42PM  
5 disjointed. So if there are matters that are relevant to 02:55:46PM  
6 the subject Counsel Assisting's exploring I will assume 02:55:49PM  
7 that you'll cover it or Mr Somyurek will cover it at the 02:55:52PM  
8 time these questions are being asked. 02:55:58PM  
9 MR GULLACI: Commissioner, to answer your question frankly, I'm 02:56:00PM  
10 very, very clear on that, as you made clear at the 02:56:04PM  
11 start - - - 02:56:07PM  
12 COMMISSIONER: Very good. 02:56:08PM  
13 MR GULLACI: In the communications that we've had. And 02:56:08PM  
14 I appreciate that Mr Carr particularly today has been 02:56:10PM  
15 stopping after topics. Certainly, if I'm not going to 02:56:13PM  
16 matters to deal with topics as they've been covered, I do 02:56:17PM  
17 not propose to come back to them. 02:56:20PM  
18 COMMISSIONER: Very good. Thank you. 02:56:21PM  
19 MR CARR: Now, Ms Kairouz has given evidence as you're aware, 02:56:26PM  
20 Mr Somyurek? 02:56:43PM  
21 MR SOMYUREK: Yes. 02:56:44PM  
22 MR CARR: Did you speak to her after she gave evidence at all? 02:56:44PM  
23 MR SOMYUREK: No. 02:56:48PM  
24 MR CARR: Okay. Now, she in her evidence referred to 02:56:48PM  
25 Hamdi Koyu as a good example of someone who had the 02:57:00PM  
26 capacity to do both proper electorate office work and 02:57:05PM  
27 factional work and said that or accepted that both were 02:57:11PM  
28 integral to the job of an electorate officer. Now, do you 02:57:18PM  
29 accept that it is integral to the job of an electorate 02:57:25PM



1 officer to do factional work? 02:57:30PM

2 MR SOMYUREK: I think you know my general - again, I don't want 02:57:35PM

3 to go back. We're covering old terrain and I'm just going 02:57:41PM

4 to give you - you know my views on that and I've talked 02:57:45PM

5 about grey area. You don't need me to go back over old 02:57:48PM

6 terrain. 02:57:53PM

7 MR CARR: Could we run through a series of communications 02:57:55PM

8 between you and Ms Kairouz. Can we have TI7 first, 02:58:02PM

9 please, Commissioner. Just to give you the time, we're in 02:58:08PM

10 June of 2020 in the couple of days leading up to the media 02:58:18PM

11 broadcast on 14 June. TI7 is a text message from 02:58:23PM

12 Ms Kairouz to you, 'Hamdi is a problem. Kaushaliya is 02:58:32PM

13 briefing me.' It's a reference to Hamdi Koyu being a 02:58:37PM

14 problem and Kaushaliya Vaghela briefing Ms Kairouz; 02:58:42PM

15 correct? 02:58:49PM

16 MR SOMYUREK: It appears that way. 02:58:50PM

17 MR CARR: If we then go to No.8. 02:58:51PM

18 COMMISSIONER: Is there a date on that, Mr - - - 02:58:56PM

19 MR CARR: 12 June at 10.18 pm. 02:58:59PM

20 COMMISSIONER: Yes. 02:59:04PM

21 MR SOMYUREK: 12 June, yeah? Okay. 02:59:04PM

22 MR CARR: I tender that, Commissioner. 02:59:05PM

23 COMMISSIONER: Thank you. 02:59:07PM

24 MR CARR: I might tender all of these as a bundle at the end. 02:59:09PM

25 COMMISSIONER: Very good. They're all on the same date, are 02:59:13PM

26 they? 02:59:16PM

27 MR CARR: They are. Could we have TI8? We do. Again from 02:59:16PM

28 Ms Kairouz to you, 'Media coming after him bc [because 02:59:20PM

29 presumably] he's in our group.' Have you read that? 02:59:24PM

1 MR SOMYUREK: Yep. 02:59:29PM

2 MR CARR: All right. Let's move to 9, 'Fatih told him not to 02:59:29PM

3 do factional work anymore, just work 9 to 5.' Fatih is 02:59:48PM

4 who? 02:59:53PM

5 MR SOMYUREK: I guess you would say - what's that foundation, 02:59:54PM

6 the Turkish - Light Foundation. 02:59:58PM

7 MR CARR: Australia Light Foundation? 03:00:01PM

8 MR SOMYUREK: Yeah. 03:00:03PM

9 MR CARR: Who's Fatih? 03:00:03PM

10 MR SOMYUREK: From the Light Foundation you would say. You 03:00:04PM

11 would know him from the Light Foundation, I guess. He's a 03:00:06PM

12 long-time activist that was a former Conroy ally. He's 03:00:10PM

13 been around for 30, 40 years, 30 years and stuff in the 03:00:16PM

14 party. But you're right, it's the Light Foundation. 03:00:19PM

15 MR CARR: Let's go to TI10 then, please. This is a recording, 03:00:24PM

16 a little under an hour later. 03:00:29PM

17 (Audio recording played to the Commission.) 03:00:51PM

18 MR CARR: Can we go back to line 61 on p3, please, 03:06:10PM

19 Commissioner. Perhaps just up a little further. Thank 03:06:15PM

20 you. Can you see at line 61 - - - 03:06:21PM

21 MR SOMYUREK: He's part of our group. 03:06:32PM

22 MR CARR: 'He doesn't have to be part of our group and they 03:06:33PM

23 don't have to have all of those jobs.' Now, you're 03:06:36PM

24 linking there being part of your group and having all 03:06:40PM

25 those jobs; do you see that? 03:06:43PM

26 MR SOMYUREK: Yeah. 03:06:46PM

27 MR CARR: Now, who's getting all those jobs because they're 03:06:46PM

28 part of your group? 03:06:49PM

29 MR SOMYUREK: Let me tell you what they've got. They've got - 03:06:51PM

1 Sel is working for Katie. Nothing to do with me. 03:06:54PM

2 MR CARR: Katie Hall? 03:06:59PM

3 MR SOMYUREK: Sorry? 03:07:02PM

4 MR CARR: Katie Hall? 03:07:02PM

5 MR SOMYUREK: Katie Hall. I mean, this is where we can talk 03:07:04PM

6 about meritocracy. He's been around for a long time. He 03:07:09PM

7 can hold down a job. He's been the - - - 03:07:12PM

8 MR CARR: Mr Somyurek, just if you wouldn't mind addressing the 03:07:14PM

9 question. 03:07:16PM

10 MR SOMYUREK: All right. 03:07:17PM

11 MR CARR: Who's got the jobs? 03:07:17PM

12 MR SOMYUREK: That's not something I can help. That's the deal 03:07:18PM

13 he did with Sel. Sel and Katie know each other. Katie 03:07:21PM

14 has employed Sel. That's nothing to do with me. Hamdi is 03:07:25PM

15 working for Kaushaliya. Not a deal. It's not a deal. 03:07:28PM

16 Not me trying to impose it. He was working for Nicola 03:07:32PM

17 Roxon for 10 years as the sort of assistant chief of 03:07:35PM

18 staff. So he was an asset to Kaushaliya's office. So 03:07:39PM

19 there's two. I had one of the - one of the young people 03:07:44PM

20 on for about two days in my ministerial - as an admin 03:07:49PM

21 assistant. That's it. 03:07:55PM

22 MR CARR: You mentioned there that Hamdi had worked for Nicola 03:07:59PM

23 Roxon for years. That's something that you learnt when 03:08:12PM

24 you were drafting his response to media enquiries, is it? 03:08:15PM

25 MR SOMYUREK: No, no. Obviously I knew he worked for Nicola 03:08:20PM

26 Roxon. But what I was trying to do on that night was just 03:08:23PM

27 get a - I was trying it find out how much money they got, 03:08:27PM

28 how much money they got off the Libs, how much money they 03:08:31PM

29 got at the national, I was trying to paint a - I was 03:08:33PM

1           trying to get a clearer picture of what they were doing. 03:08:35PM

2           But I knew he worked for Nicola Roxon; absolutely I did. 03:08:38PM

3 MR CARR: And you drafted the response - - - 03:08:43PM

4 MR SOMYUREK: Yeah, a response - - - 03:08:45PM

5 MR CARR: To media enquiries for him. Did you do that - - - 03:08:45PM

6 MR SOMYUREK: I'm not sure - okay, so, Mr Carr, I do remember 03:08:46PM

7           doing that. What I wanted to do, and I did this with the 03:08:50PM

8           Somalis as well, I wanted to know - so what you're seeing 03:08:56PM

9           is me now going to everyone trying to - I'm reacting to 03:08:59PM

10          what McKenzie's doing, where he's going. He's talking 03:09:02PM

11          about the Light Foundation. So I'm going to the Light 03:09:06PM

12          Foundation saying, 'Right, what did you guys do? What 03:09:09PM

13          money have you got? How much did you get from this 03:09:12PM

14          government? How much did you get from the former 03:09:13PM

15          government? How much did you get from the federals? 03:09:14PM

16          Right.' I think there was a question about the committee. 03:09:15PM

17          'What did you do on the committee?' You know, and then 03:09:17PM

18          I've put down - I knew he worked for Nicola Roxon. I knew 03:09:20PM

19          he was the senior person in that office. But I might not 03:09:23PM

20          have known how long he worked there. That's the type of 03:09:26PM

21          thing I did, as you do. 03:09:29PM

22 MR CARR: When you say 'as you do', as a minister in the 03:09:30PM

23          Victorian government how many times did you set aside 03:09:35PM

24          periods of time when you're facing somewhat of a media 03:09:44PM

25          storm to draft a response to media questions on behalf of 03:09:52PM

26          someone who belongs to a community organisation? 03:10:02PM

27 MR SOMYUREK: Mr Carr, that response went nowhere except for my 03:10:07PM

28          internal thing. Media unit of the government handled it 03:10:12PM

29          themselves. And in fact Minister Scott's - well, Robin 03:10:17PM

1 Scott - Robin Scott worked with the media unit to handle 03:10:22PM  
2 that issue. What I put together didn't go anywhere. That 03:10:25PM  
3 was just for my own purposes. Don't forget the story was 03:10:29PM  
4 about me. So I could have said, 'That's not my issue. 03:10:33PM  
5 That was a government issue. It was an issue for 03:10:36PM  
6 Mr Scott.' But it was about 'The Faceless Man' in 03:10:40PM  
7 reference to me. So I wanted to be there and find out 03:10:42PM  
8 what exactly happened. 03:10:46PM  
9 MR CARR: So when you say, 'I wanted to be there and find out 03:10:47PM  
10 what exactly happened' - - - 03:10:50PM  
11 MR SOMYUREK: I wanted to find out for myself - - - 03:10:52PM  
12 MR CARR: Sorry, just wait for the question, please, 03:10:54PM  
13 Mr Somyurek. You were not engaged in an investigative 03:10:56PM  
14 process, were you? 03:10:59PM  
15 MR SOMYUREK: I was doing my own investigation. 03:11:01PM  
16 MR CARR: See, we'll come to this tomorrow, but let me give you 03:11:04PM  
17 some forewarning. What I'm going to suggest to you 03:11:07PM  
18 tomorrow, and perhaps you can reply to it now, is that far 03:11:10PM  
19 from being involved in an investigation of what had taken 03:11:17PM  
20 place what you were doing was writing responses on behalf 03:11:22PM  
21 of others designed to cover up any risk of any impropriety 03:11:29PM  
22 coming to light. Now, do you accept that's what you were 03:11:39PM  
23 doing? 03:11:43PM  
24 MR SOMYUREK: Absolutely not. 03:11:43PM  
25 MR CARR: You stand by your assertion that you were just 03:11:44PM  
26 involved in an investigative process, do you, Mr Somyurek? 03:11:47PM  
27 MR SOMYUREK: I was - what I was trying to find out is where 03:11:51PM  
28 the media can go; what they can blow out of proportion. 03:11:54PM  
29 So as far as I was concerned a key criteria was this. 03:11:58PM

1 Obviously their line was going to be that Robin Scott is a 03:12:01PM  
2 minister from our group. So they were going to go - so 03:12:05PM  
3 what the media would do and what - obviously the logical 03:12:09PM  
4 place to go was, 'Well, you know, Robin Scott is the 03:12:11PM  
5 Minister for Multicultural Affairs, and from November 2014 03:12:15PM  
6 to whatever date he was the Minister of Multicultural 03:12:19PM  
7 Affairs to you got this amount of money.' 03:12:23PM  
8 Now, what I was trying to do is do a comparative 03:12:27PM  
9 analysis across time and across other groupings. So 03:12:31PM  
10 I wanted to know what he got, what they got from the 03:12:34PM  
11 Andrews government with Robin Scott as the incumbent 03:12:39PM  
12 minister and what they got off the Liberals before 03:12:43PM  
13 Mr Scott was the minister, and then what they got from the 03:12:46PM  
14 federal government, and the Liberals were in power there 03:12:51PM  
15 to. So, if there was a huge discrepancy, if they had 03:12:55PM  
16 received no money from the Libs to 2014 and all of a 03:13:00PM  
17 sudden they got 200, \$400,000 from Mr Scott, that's 03:13:04PM  
18 going - that was going to look terrible; right? So that's 03:13:09PM  
19 what I was trying to work out, whether there was - what 03:13:12PM  
20 the risks were as far as public relations were concerned, 03:13:15PM  
21 not for an integrity body purpose, it was just for public 03:13:18PM  
22 relations. 03:13:23PM  
23 MR CARR: You made a point a couple of answers ago of saying 03:13:28PM  
24 that the response you wrote didn't go anywhere. Can I 03:13:33PM  
25 just remind you that you had a conversation with Mr Scott 03:13:37PM  
26 in which he emphasised to you the risk of the metadata, 03:13:42PM  
27 the attributes of the Word document showing up your 03:13:51PM  
28 involvement and Mr Garotti's involvement; do you remember 03:13:57PM  
29 that? 03:14:00PM

1 MR SOMYUREK: The properties of the document you're talking 03:14:04PM  
2 about? 03:14:06PM  
3 MR CARR: Yes. 03:14:06PM  
4 MR SOMYUREK: Yeah, I've always - that's, like - I've got no 03:14:07PM  
5 problem with that. 03:14:11PM  
6 MR CARR: Well, Mr Scott had enough of a problem with that to 03:14:12PM  
7 want to make sure that the response was sent in a way 03:14:16PM  
8 which couldn't see your fingerprints on it. Do you 03:14:22PM  
9 remember that? 03:14:26PM  
10 MR SOMYUREK: I told you Mr Scott is one of the most cautious 03:14:27PM  
11 people I've met. He would be worried from his own 03:14:30PM  
12 ministerial perspective because this sits within his 03:14:34PM  
13 portfolio, and I'm running around because it's me the 03:14:37PM  
14 60 Minutes program is trying to do a job on. 03:14:41PM  
15 MR CARR: And in fact you and Mr Scott had a - sorry, you had a 03:14:44PM  
16 conversation with Mr Garotti telling him not to email it 03:14:50PM  
17 to Mr Scott but to call him because Mr Scott was careful; 03:14:57PM  
18 do you remember that? 03:15:04PM  
19 MR SOMYUREK: Cautious. It sounds like - I could imagine 03:15:05PM  
20 Mr Scott getting angry that he's been - if Rick Garotti 03:15:09PM  
21 emailed him something, yeah. I don't - look, I can't - 03:15:17PM  
22 I'm speculating. It sounds like something that I would 03:15:19PM  
23 say in response to what Mr - in predicting Mr Scott's 03:15:21PM  
24 response. It sounds like something I would say. 03:15:24PM  
25 MR CARR: See, what it sounds like is you and Mr Scott trying 03:15:26PM  
26 to make sure nobody realises that you're behind the 03:15:35PM  
27 responses that are going to be provided to the media? 03:15:40PM  
28 MR SOMYUREK: Mr Carr, media management is one thing and 03:15:42PM  
29 answering questions with - and dealing with IBAC is 03:15:47PM

1 another. I've got to tell you media are out to make 03:15:50PM  
2 money, Mr Carr. Don't worry about this high-minded 03:15:55PM  
3 principle they go on with. It's all nonsense, Mr Carr. 03:15:57PM  
4 I've got to break this to you. It's nonsense. They're 03:16:01PM  
5 there to make money. You guys - you guys aren't there to 03:16:04PM  
6 make money. I believe in a free and independent media, 03:16:09PM  
7 and I don't believe - I don't believe journalists should 03:16:16PM  
8 be put in prison. I believe it's a sad day when the media 03:16:19PM  
9 is being persecuted. But - - - 03:16:23PM  
10 MR CARR: Mr Somyurek, I'm quite sure that that speech was not 03:16:25PM  
11 responsive to the question. Let me move on. Can we go 03:16:29PM  
12 back to p1, line 7. Can you see on line 8 towards the end 03:16:36PM  
13 of the line this is Ms Kairouz reporting Hamdi Koyu's 03:16:57PM  
14 sentiments, 'I know they're doing this to me because of 03:17:06PM  
15 the factional work. I spoke to Fatih. Fatih said I don't 03:17:09PM  
16 do any more factional work 9 to 5.' Your response to 03:17:12PM  
17 Fatih telling Hamdi not to do factional work 9 to 5 03:17:18PM  
18 anymore is, 'Yeah, get fucked.' Now, Ms Kairouz responds, 03:17:24PM  
19 'I said he doesn't dictate what - Fatih does not dictate 03:17:34PM  
20 what his job is.' Now, the predicate upon which both you 03:17:39PM  
21 and Ms Kairouz are proceeding is that, 'Hamdi does all 03:17:47PM  
22 this factional work nine to five, and who is Fatih to 03:17:54PM  
23 intervene in that process?' 03:17:59PM  
24 MR SOMYUREK: Mr Carr, what I'm setting out is Mr Fatih Koyu or 03:18:05PM  
25 me or anyone else, the only person that hires Hamdi is his 03:18:13PM  
26 employer. Who was his employer then? Kaushaliya? 03:18:18PM  
27 Kaushaliya was his employer. Kaushaliya was his MP. So 03:18:23PM  
28 Kaushaliya will dictate what he does; will, you know, 03:18:27PM  
29 dictate the responsibilities and duties of Mr Koyu. 03:18:31PM



1 No-one else, including me or anyone else. Just her. 03:18:36PM  
2 Certainly not from someone outside the political field. 03:18:39PM  
3 Now, if we were to say, 'Yes, Mr Fatih Yargi 03:18:42PM  
4 dictates the work,' we would be going into a pretty bad 03:18:49PM  
5 space of making sure that he perhaps gets funding. Do you 03:18:53PM  
6 see what I'm saying? He can't get to dictate what staff 03:18:56PM  
7 do. It's just - no-one else can. Not just him. Anyone. 03:19:01PM  
8 It's a matter for the MP and no-one else. That's the 03:19:05PM  
9 point we're trying to make. 03:19:10PM  
10 MR CARR: When you say 'that's the point we're trying to 03:19:12PM  
11 make' - - - 03:19:15PM  
12 MR SOMYUREK: Well, she is and I've agreed with her. 03:19:16PM  
13 MR CARR: Let me tell you what Ms Kairouz said on oath about 03:19:18PM  
14 this. 'The conversation is predicated on he is doing all 03:19:21PM  
15 this factional work and it's not for Fatih to say 03:19:31PM  
16 otherwise.' Ms Kairouz said, 'I accept that.' Question, 03:19:34PM  
17 'That's the inference, isn't it, that flows?' 'Yes, from 03:19:40PM  
18 that conversation, yes.' So Ms Kairouz certainly 03:19:44PM  
19 understood the conversation you had with her as about, 03:19:52PM  
20 'Well, Hamdi's doing all this factional work and who 03:19:59PM  
21 is - who is Fatih to try and intervene in Hamdi continuing 03:20:03PM  
22 to do all this factional work?' 03:20:12PM  
23 MR SOMYUREK: No, my response was driven from the fact that 03:20:18PM  
24 you've got someone outside, you know, who's the leader of 03:20:21PM  
25 an organisation determining what an MP - the duties that 03:20:26PM  
26 the MP sets her staff. I think that's wrong for other 03:20:32PM  
27 people to be determining what duties are being set. This 03:20:35PM  
28 guy's about 35, 40 years old. 03:20:38PM  
29 MR CARR: So let me just understand - - - 03:20:42PM

1 COMMISSIONER: Of course it's wrong, Mr Somyurek. The question 03:20:46PM  
2 is how does it come about that anyone, like Mr Fatih, 03:20:49PM  
3 thinks that he can do that with your staff? 03:20:55PM  
4 MR SOMYUREK: Well, that's what I'm saying. That's what 03:20:58PM  
5 I said, 'Yeah, get fucked.' That's emphatic. 03:21:00PM  
6 COMMISSIONER: No, no, no, Mr Somyurek, you're not grappling 03:21:02PM  
7 with the fundamental factual matter which underlies this. 03:21:05PM  
8 Mr Fatih thinks that the role he's performing is such that 03:21:14PM  
9 he's got the authority or right to give instruction to 03:21:24PM  
10 your staff; do you not see that? 03:21:29PM  
11 MR SOMYUREK: Yeah, no, I can see that, Commissioner, and 03:21:32PM  
12 that's why I think you get the - you get a visceral 03:21:34PM  
13 reaction from me. Like, it's a surprise. That's why I'm 03:21:38PM  
14 saying - using those - you know, those powerful words, but 03:21:41PM  
15 if overused they can be pretty bad. But, no, I get 03:21:46PM  
16 exactly what you're saying, Commissioner. Why does he 03:21:49PM  
17 think? He and I obviously have a different view on what 03:21:52PM  
18 he thinks he can do, what I think he thinks he can do. 03:21:55PM  
19 It's actually - he's not my staffer at that point, is he, 03:21:58PM  
20 Mr Carr? 03:22:02PM  
21 MR CARR: No, no, he's worrying for Ms Vaghela. 03:22:02PM  
22 MR SOMYUREK: Yeah, Ms Vaghela. So it's not even about me. On 03:22:05PM  
23 behalf of Ms Vaghela I'm saying, you know, 'Go get 03:22:08PM  
24 nicked.' 03:22:11PM  
25 MR CARR: Your visceral reaction is to the idea of someone 03:22:12PM  
26 stopping - stopping - Mr Koyu from doing factional work 03:22:16PM  
27 nine to five; that's what evokes the visceral reaction 03:22:20PM  
28 from you, Mr Somyurek? 03:22:24PM  
29 MR SOMYUREK: No, I'm more - I'm more on the Commissioner's 03:22:26PM

1 side here. It's because he thinks that he's got the right 03:22:28PM  
2 to have a say is what I'm angry at. I think the 03:22:32PM  
3 Commissioner's got it right. That's what I think of it. 03:22:34PM  
4 How dare he, what temerity to think he's got a right to 03:22:37PM  
5 determine what an MP's staff does, is what I'm thinking. 03:22:41PM  
6 MR CARR: I'll move on. I just want to make it clear so that 03:22:45PM  
7 you've had the opportunity to respond the temerity that 03:22:50PM  
8 provokes the visceral reaction if one listens to that call 03:22:55PM  
9 is the temerity of a man intervening in the factional work 03:23:00PM  
10 being directed by members of your faction, Mr Somyurek? 03:23:07PM  
11 MR SOMYUREK: Mr Carr, it's the fact that he's trying to direct 03:23:13PM  
12 what work should be done. It might not be factional. It 03:23:17PM  
13 could be anything. It could be, you know, just trying to 03:23:21PM  
14 direct what work he should do. I just think that was 03:23:24PM  
15 wrong. Now, as far as factional work, I'm not sure what 03:23:28PM  
16 factional work he was doing there at that time. The party 03:23:30PM  
17 was locked down. So I'm not actually sure what factional 03:23:34PM  
18 work he was doing for Ms Vaghela. 03:23:37PM  
19 MR CARR: I'm moving to another topic now, Commissioner. 03:23:41PM  
20 COMMISSIONER: We need to rationalise the exhibits, Mr Carr. 03:23:44PM  
21 There were a number of texts. 03:23:48PM  
22 MR CARR: Three text messages and - - - 03:23:50PM  
23 COMMISSIONER: On 12 June, and that will be exhibit 98. And 03:23:52PM  
24 then the conversation of the same date will be 99. 03:23:55PM  
25 03:23:59PM  
26 #EXHIBIT 98 - Three text messages dated 12/06/20. 03:24:00PM  
27 03:24:00PM  
28 #EXHIBIT 99 - TI10 audio recording and transcript dated 03:24:01PM  
29 12/06/20 03:24:02PM

1 MR CARR: Now, Mr McLennan has given evidence that you would 03:24:02PM  
2 come into his office when he was in Ms Kairouz's 03:24:18PM  
3 ministerial office five or six times a day and say, 03:24:20PM  
4 'I need this done now, I need that done now;' that you 03:24:25PM  
5 were constantly giving him directions to do factional 03:24:30PM  
6 work. Do you accept that? 03:24:35PM  
7 MR SOMYUREK: Absolutely wrong. He was in the freezer. 03:24:35PM  
8 MR CARR: And that it was made clear to him that his employment 03:24:40PM  
9 was tied to work within the faction or factional work; do 03:24:46PM  
10 you accept that? 03:24:52PM  
11 MR SOMYUREK: No. I absolutely do not accept it. 03:24:53PM  
12 Notwithstanding the recording - let's draw a distinction. 03:24:57PM  
13 In that recording where I said, I used some unfortunate 03:24:59PM  
14 language, and I said - you know, I said something like 03:25:04PM  
15 getting him a job, you know, the hyperbole I used there, 03:25:07PM  
16 that was in the context of us during the war being under 03:25:10PM  
17 attack in the south-east. 03:25:15PM  
18 We considered ourselves a family, Byrne, Lou, me, 03:25:16PM  
19 and then Nick who wanted a seat, and then Sullivan sort of 03:25:20PM  
20 came on the scene. So we were under attack. And McLennan 03:25:26PM  
21 had to go to netball training. And I - so he wanted a 03:25:31PM  
22 seat. Like, he talked to me about a seat. He wanted 03:25:36PM  
23 backing for a seat in that area. But he wasn't willing to 03:25:39PM  
24 do his activism after hours, not during the hours, in the 03:25:42PM  
25 south-east. So he had no role. He wasn't on MAC anymore. 03:25:45PM  
26 He had no role. 03:25:50PM  
27 But what he did, Mr Carr, is he never let go 03:25:51PM  
28 himself. I didn't get him to do anything at all. Now, 03:25:54PM  
29 there was something that happened, late June I think 03:25:59PM

1 things were relevant for him. I think the Central Branch 03:26:02PM  
2 members were coming in, some enquiry on Central Branch 03:26:09PM  
3 members. So there was a bit of database work there, but 03:26:14PM  
4 I think it was more pertaining to the south-east. 03:26:18PM  
5 Now, one thing that I did ask him to do from the 03:26:20PM  
6 start is the discussion that he and I had had is that he 03:26:22PM  
7 had hit a wall; right? He had agreed to be - use his 03:26:28PM  
8 corporate sort of memory in factional work to guide and 03:26:36PM  
9 assist, but that's all. He had no role. He wasn't on any 03:26:39PM  
10 committee at all. But he wouldn't disappear. He would 03:26:42PM  
11 sort of come out of nowhere - - - 03:26:45PM  
12 MR CARR: You've given that evidence already, Mr Somyurek. 03:26:47PM  
13 MR SOMYUREK: Sorry? 03:26:51PM  
14 MR CARR: You've given that evidence previously - - - 03:26:51PM  
15 MR SOMYUREK: I'm sure you've got text messages of me 03:26:54PM  
16 interacting with him. 03:26:54PM  
17 MR CARR: Yes, all right. Let's listen, please, to clip 18-1 03:26:55PM  
18 and can we play from 2 minutes and 53, which is the top of 03:27:01PM  
19 p5, through until 4 minutes, which is the bottom of p5. 03:27:06PM  
20 COMMISSIONER: What's the date of the conversation? 03:27:14PM  
21 MR CARR: 24 February 2020, Commissioner. 03:27:17PM  
22 COMMISSIONER: Thank you. 03:27:19PM  
23 MR SOMYUREK: That's different. We're in a war. 03:27:19PM  
24 MR CARR: Mr Somyurek, if you wouldn't mind, could you please 03:27:28PM  
25 just pay attention to the evidence, and then I'll ask you 03:27:29PM  
26 some questions; okay? 03:27:31PM  
27 MR SOMYUREK: Fine. 03:27:33PM  
28 (Audio recording played to the Commission.) 03:27:33PM  
29 MR CARR: If we just pause. You're talking about 03:28:40PM

1 Nick McLennan? 03:28:44PM

2 MR SOMYUREK: Yeah, but that's - that's hyperbole. He had a - 03:28:45PM

3 he had a portfolio. That's me being an idiot, basically. 03:28:50PM

4 Trying to - trying to say that he's not pulling his weight 03:28:53PM

5 in the south-east. 03:28:57PM

6 COMMISSIONER: When you say that, Mr Somyurek, do you mean 03:29:02PM

7 you're saying something that's not true there? 03:29:04PM

8 MR SOMYUREK: Yeah, look, I'm exaggerating. He had a 03:29:05PM

9 portfolio, it was suburban development, and you know what? 03:29:09PM

10 They were making something of that portfolio. This is me 03:29:12PM

11 complaining about the south-east. Like, Commissioner, 03:29:15PM

12 I told you I had lost all perspective, and I was angry, 03:29:19PM

13 there was a war on. I actually felt we were in a war, we 03:29:25PM

14 were going back to the Holt days. So I'm a guy that's 03:29:29PM

15 running around being a fool; right? And it's unfortunate 03:29:33PM

16 that I've - you know, this has been - yeah, but it's me 03:29:36PM

17 trying to make a point, complaining that he's not pulling 03:29:40PM

18 his weight in the south-east with that war, not during 03:29:44PM

19 office hours, but during, you know, as an activist in that 03:29:48PM

20 area, so ... 03:29:52PM

21 COMMISSIONER: I'm just interested to know when you say they 03:29:55PM

22 weren't brave enough - that they - they weren't brave 03:29:59PM

23 enough, who's the 'they' you're talking about? 03:30:02PM

24 MR SOMYUREK: Look, I'm being an idiot, Commissioner. 03:30:06PM

25 I meant - look, I meant that she had a war on, she had 03:30:08PM

26 local government, she could've lost an adviser, I'm 03:30:14PM

27 referring to the Premier's, but that's not right. They 03:30:16PM

28 don't have to be brave. They can just take whatever they 03:30:18PM

29 want. It's just me being an idiot, it's me - it's 03:30:19PM

1 hyperbole - being silly. 03:30:22PM

2 COMMISSIONER: So you're referring to the fact that the 03:30:24PM

3 appointments of ministerial advisers is done via the 03:30:26PM

4 Premier's office? 03:30:29PM

5 MR SOMYUREK: Yeah. There's nothing in that. Don't read too 03:30:30PM

6 much into my - my stream of consciousness, put it that 03:30:32PM

7 way. It's just me being silly. 03:30:40PM

8 COMMISSIONER: Yes. Yes, Mr Carr. 03:30:42PM

9 MR CARR: So you say there's not even a kernel of truth in the 03:30:43PM

10 notion that in your mind Mr McLennan was a spare? 03:30:52PM

11 MR SOMYUREK: No, he wasn't. He wasn't. He was doing - yeah. 03:30:57PM

12 MR CARR: And therefore available to you for factional work? 03:31:00PM

13 MR SOMYUREK: No. 03:31:02PM

14 MR CARR: No? 03:31:03PM

15 MR SOMYUREK: He wasn't a spare. The whole purpose of him 03:31:03PM

16 going in there was he had been an electorate officer for 03:31:06PM

17 11 years and he was doing factional work for 11 years. He 03:31:11PM

18 hit a wall where he wasn't doing his job properly as an 03:31:15PM

19 electorate officer as well or he wasn't doing factional 03:31:19PM

20 work. His mates, his peers, were all ministerial 03:31:23PM

21 advisers, and another mate was an MP. He wanted a change. 03:31:27PM

22 He wanted to do something different. And he was. He 03:31:31PM

23 was - Marlene - Ms Kairouz was happy with him, the 03:31:33PM

24 ministerial advice that he was giving. So - - - 03:31:37PM

25 MR CARR: So it's no - no kernel of truth in your mind the fact 03:31:39PM

26 that he was a spare and therefore available to you for 03:31:44PM

27 factional work? 03:31:48PM

28 MR SOMYUREK: No, absolutely not. 03:31:49PM

29 MR CARR: Okay. 03:31:50PM

1 MR SOMYUREK: PPO's not going to allow a spare in anyone's 03:31:51PM  
2 office; right? They're just not. 03:31:55PM  
3 MR CARR: I tender that page, Commissioner, p5 of the 03:31:58PM  
4 recording. 03:32:03PM  
5 COMMISSIONER: Was it your experience that there was regular 03:32:04PM  
6 oversight or auditing of whether or not ministerial 03:32:07PM  
7 advisers in a respective minister's office were doing 03:32:10PM  
8 sufficient work? 03:32:16PM  
9 MR SOMYUREK: No, that wouldn't be the case. Commissioner, one 03:32:16PM  
10 thing with political appointments is when the bureaucracy 03:32:20PM  
11 doesn't do its work the whole state suffers, the whole 03:32:23PM  
12 population suffers. When ministers and their advisers 03:32:29PM  
13 don't do the work, is self-interest, you suffer. If you 03:32:31PM  
14 have two bad question times, your ministerial adviser's 03:32:35PM  
15 not briefing you, you're gone; right? If you're not 03:32:38PM  
16 properly briefed and debriefed and prepped for question 03:32:39PM  
17 time and media, you're finished; right? There's a lot of 03:32:42PM  
18 self-interest in these political jobs, political 03:32:45PM  
19 portfolios. So, you know, if someone goes missing for two 03:32:48PM  
20 hours, well, he'd better be on top of that brief and then 03:32:51PM  
21 brief the minister because, if the minister makes a 03:32:54PM  
22 mistake, they're both gone. 03:32:56PM  
23 COMMISSIONER: Yes. 03:32:58PM  
24 MR CARR: I tender that single page that has been played. 03:32:59PM  
25 COMMISSIONER: Thank you. That will be exhibit 100. 03:33:05PM  
26 03:33:07PM  
27 #EXHIBIT 100 - Page 5 of audio recording 18-1 dated 24/02/20. 03:33:07PM  
28 MR CARR: Could we then listen to clip 18-2, and we just need 03:33:09PM  
29 the first page, which runs until 1 minute and 15 seconds, 03:33:14PM



1 Commissioner. 03:33:18PM

2 MR SOMYUREK: So 24 February; yes? 03:33:33PM

3 MR CARR: Yes. 03:33:36PM

4 (Audio recording played to the Commission.) 03:33:38PM

5 Mr CARR: Who were you talking about, Mr Somyurek? 03:34:56PM

6 MR SOMYUREK: Obviously McLennan. No, I couldn't talk about 03:34:58PM

7 his job. 03:35:03PM

8 MR CARR: Well, they're your words, Mr Somyurek. Now let's 03:35:06PM

9 just work through it from the top. If we go back to the 03:35:10PM

10 start of the transcript, 'If he fucked this up I don't 03:35:14PM

11 reckon he'll be able to survive the job.' And if we go 03:35:20PM

12 from line 11 and following you can see what you're talking 03:35:24PM

13 about is him having stuffed up at a branch meeting? 03:35:28PM

14 MR SOMYUREK: Yeah. 03:35:34PM

15 MR CARR: So he's stuffed up some factional work? 03:35:35PM

16 MR SOMYUREK: Yeah. 03:35:38PM

17 MR CARR: That's what you're complaining about; yeah? 03:35:38PM

18 MR SOMYUREK: Yep. 03:35:40PM

19 MR CARR: Then let's go back to the bottom of the page, from 03:35:41PM

20 line 30 and following, and you direct Lou to tell him that 03:35:46PM

21 you're really furious and 'if this - if this - he won't be 03:35:58PM

22 able to keep his job. Expect to be sacked soon'? 03:36:03PM

23 MR SOMYUREK: You can - I could have said, 'Expect that I will 03:36:08PM

24 kill him.' Do you really think I would have killed him? 03:36:10PM

25 The fact is I was furious. I was angry. I spent that 03:36:13PM

26 period I believe - I plead temporary insanity. There is 03:36:21PM

27 no way that he was going to get sacked from anything; 03:36:27PM

28 right? It's just again me being a boofhead. 03:36:30PM

29 MR CARR: What it suggests is that in your own mind you're 03:36:37PM

1 equating him stuffing up factional work with a sackable 03:36:45PM  
2 offence? 03:36:48PM  
3 MR SOMYUREK: Yeah. 03:36:50PM  
4 MR CARR: And you might plead temporary insanity - that's the 03:36:50PM  
5 phrase you used a moment ago - but the reality is that at 03:36:56PM  
6 this time in your mind Mr McLennan's job is to do the 03:37:00PM  
7 factional work that you direct him to do and to get it 03:37:08PM  
8 right? 03:37:13PM  
9 MR SOMYUREK: Yep. 03:37:14PM  
10 MR CARR: I tender that, Commissioner. 03:37:16PM  
11 MR SOMYUREK: How can you sack someone for that? It's 03:37:17PM  
12 just - hear my tone of voice. I mean, I sound unhinged. 03:37:24PM  
13 COMMISSIONER: Mr Somyurek, for me, the more significant 03:37:27PM  
14 feature of this conversation is that it says your state of 03:37:32PM  
15 mind is that, if you say that to Lou and Lou passes on a 03:37:37PM  
16 message like that to Mr McLennan, each of them will think, 03:37:42PM  
17 'Well, we know he's got the capacity to deliver on an 03:37:47PM  
18 outcome like that'; isn't that the real significance? 03:37:51PM  
19 MR SOMYUREK: I expected her not to say anything to him. She 03:37:55PM  
20 was - me sort of - the reason I was speaking to her, not 03:37:57PM  
21 him, is because I was venting, right, and I expected - - - 03:38:02PM  
22 COMMISSIONER: You may have been. But it tells us something, 03:38:04PM  
23 doesn't it, about what you think the effect of saying that 03:38:08PM  
24 on Lou and McLennan would be, bearing in mind also 03:38:13PM  
25 McLennan's not even in your employ, is he? 03:38:20PM  
26 MR SOMYUREK: No, and that's why the whole thing is nonsense, 03:38:23PM  
27 ridiculous. There's no - yeah, it's just me venting, and 03:38:26PM  
28 those words should not be taken seriously. If you listen 03:38:28PM  
29 to my tone of voice, I sound unhinged. 03:38:31PM

1 COMMISSIONER: Yes. 03:38:34PM

2 MR SOMYUREK: I really had lost all perspective during that 03:38:35PM

3 time. In my mind, we had - I was a minister, right, and 03:38:37PM

4 really proud of myself for being a minister, and then 03:38:42PM

5 I had all these heavy factional responsibilities, because 03:38:45PM

6 everyone wanted to - you know, walk out on the Right 03:38:47PM

7 because - and thought that I was responsible for the whole 03:38:50PM

8 Right. And then I had this war going on in the 03:38:53PM

9 south-east, and Daniel Andrews wasn't my favourite person 03:38:56PM

10 too because it was his mates that were doing it. So I had 03:39:00PM

11 a lot - I was an angry man for a couple of months, for a 03:39:03PM

12 few months there. You know, I've seen the recordings, and 03:39:07PM

13 I don't like the boofhead that I was in those few months. 03:39:10PM

14 It's not how I normally am. 03:39:14PM

15 COMMISSIONER: You still don't accept that in any loose sense 03:39:18PM

16 you - - - 03:39:18PM

17 MR SOMYUREK: No. 03:39:21PM

18 COMMISSIONER: Just let me finish the question. You don't 03:39:23PM

19 accept in any loose sense that you and Ms Kairouz were 03:39:25PM

20 sharing resources? 03:39:28PM

21 MR SOMYUREK: No, we weren't, Commissioner. I'm being honest 03:39:31PM

22 with you. The genesis of Nick going into Ms Kairouz's 03:39:34PM

23 office was Byrne was also sick of him. I've got text 03:39:38PM

24 messages that show how Byrne was sick of Nick as well for 03:39:43PM

25 not doing the work. We started to call him the 03:39:46PM

26 Eddie McGuire of Berwick, because he was more interested 03:39:50PM

27 in being the Collingwood Football Club - Berwick Football 03:39:54PM

28 Club President. So he wanted a seat but he wanted to be 03:39:57PM

29 more interested in football club presidency and the 03:39:59PM

1 cricket club and netball club. So his activism - although 03:40:03PM  
2 he wanted a seat, he wanted to be more football club 03:40:07PM  
3 orientated. So that was sort of getting in the way of his 03:40:12PM  
4 activism. But this has got - this has got - there was no 03:40:15PM  
5 way I had the ability to sack him. I was just sounding 03:40:17PM  
6 like an angry, unhinged man. Listen to it. It just 03:40:22PM  
7 sounds terrible. 03:40:26PM  
8 COMMISSIONER: Again, Mr Somyurek, I didn't want to interrupt 03:40:27PM  
9 you, but it's not helpful for you to make gratuitous 03:40:29PM  
10 remarks about others - - - 03:40:34PM  
11 MR SOMYUREK: Yeah, okay. 03:40:36PM  
12 COMMISSIONER: Even if it's only by way of analogy. Please 03:40:38PM  
13 just try and answer the questions. 03:40:41PM  
14 MR SOMYUREK: Okay. Sorry. 03:40:42PM  
15 COMMISSIONER: Yes. 03:40:44PM  
16 MR CARR: I tender that. 03:40:46PM  
17 COMMISSIONER: That will be exhibit 101. 03:40:48PM  
18 03:40:49PM  
19 #EXHIBIT 101 - Audio clip 18-2 and first page of transcript 03:40:50PM  
20 from 24/02. 03:40:50PM  
21 MR CARR: Could we then please listen to clip 19-1, 03:40:50PM  
22 Commissioner. 03:40:55PM  
23 COMMISSIONER: How are you feeling, Mr Somyurek? 03:40:56PM  
24 MR SOMYUREK: I'm fine. 03:40:58PM  
25 COMMISSIONER: Are you happy for us to continue another half 03:41:01PM  
26 hour or so? 03:41:05PM  
27 MR SOMYUREK: Yeah, yeah, yeah. 03:41:06PM  
28 MR COMMISSIONER: Very good. 03:41:07PM  
29 MR CARR: I might ask after this, which won't take long, 03:41:07PM

1 Commissioner, if we might have a short break. 03:41:10PM

2 COMMISSIONER: Very good. 03:41:12PM

3 MR CARR: Now, this clip is on 10 March, so a few weeks later. 03:41:14PM

4 (Audio recording played to the Commission.) 03:41:27PM

5 MR CARR: Mr Somyurek, it's not just a temporary state of mind 03:42:02PM

6 a few weeks earlier. You're still at this stage 03:42:10PM

7 expressing the view that Mr McLennan's job is to do 03:42:17PM

8 factional stuff? 03:42:22PM

9 MR SOMYUREK: Okay. So, Mr Carr, I just want to point out that 03:42:24PM

10 in my mind the war's not over yet, because 18 March we 03:42:27PM

11 start to do a deal. At the moment, as far as we're 03:42:31PM

12 concerned, the war is still continuing, and just because 03:42:35PM

13 I say 'job', we're talking about his taking - she's 03:42:39PM

14 saying - sorry, Lou is saying that he's taking on too much 03:42:43PM

15 outside work. She is referring to what I said about 03:42:46PM

16 the football club and the netball club, et cetera, which 03:42:48PM

17 was a common complaint from all of us. 03:42:52PM

18 COMMISSIONER: But you're not grappling with the point which 03:42:55PM

19 is: does this not demonstrate - leaving aside 03:42:58PM

20 Mr McLennan's voluminous evidence given in private 03:43:02PM

21 examination that he was doing factional work and was 03:43:05PM

22 largely being directed by you - not Ms Kairouz but by 03:43:10PM

23 you - do you still dispute that he was not doing factional 03:43:16PM

24 work? 03:43:22PM

25 MR SOMYUREK: Yep. Commissioner, we've gone - so now we're at 03:43:25PM

26 the tail end of that two or three - that - that war. So 03:43:30PM

27 this again is during that war period, what you've given me 03:43:34PM

28 here again is during that war period. If you look back, 03:43:37PM

29 the last meetings that we put people through were in 03:43:42PM

1 February. It was late January, late February. But we 03:43:44PM  
2 still think we're in a war at this period, although our 03:43:47PM  
3 branch meetings are scheduled to be in March - late March, 03:43:51PM  
4 sorry. A week later there's a factional deal that took 03:43:55PM  
5 place with the Left. The war - - - 03:43:58PM  
6 COMMISSIONER: Mr Somyurek, please, we're only asking the 03:43:59PM  
7 question: do you not accept that, as this conversation 03:44:01PM  
8 seems to illustrate on its face, not only was Mr McLennan 03:44:08PM  
9 doing factional work but that was your expectation? 03:44:12PM  
10 MR SOMYUREK: But this is - this is during the war for the 03:44:19PM  
11 south-east after hours. That's why it's in this period. 03:44:21PM  
12 Is there a recording outside the factional war period? 03:44:27PM  
13 COMMISSIONER: Why do you add the words 'out of hours'? Your 03:44:31PM  
14 evidence, as I've followed it, repeated again today, is 03:44:35PM  
15 you saw nothing wrong with these staffers, whether they're 03:44:40PM  
16 ministerial advisers or electoral officers, doing some 03:44:47PM  
17 factional work during hours? 03:44:51PM  
18 MR SOMYUREK: Okay. But this is different. This is a 03:44:53PM  
19 south-eastern problem and he's working for Ms Kairouz as 03:44:56PM  
20 an adviser. So why I'm angry is that this is - this is us 03:45:00PM  
21 as a team in the south-east, and the work there, the 03:45:07PM  
22 factional activity there, was all after hours. So he gave 03:45:11PM  
23 priority to going to footy training or cricket training 03:45:15PM  
24 rather than doing his - just at a critical time rather 03:45:18PM  
25 than going to scrutineer branch meetings, for example. 03:45:24PM  
26 COMMISSIONER: Yes, Mr Carr. 03:45:29PM  
27 MR CARR: There's just a couple more - - - 03:45:30PM  
28 COMMISSIONER: Yes. 03:45:30PM  
29 MR SOMYUREK: Look, from this perspective, look, I agree, 03:45:34PM

1 Mr Commissioner, I agree, like, why do I care? 03:45:37PM  
2 I shouldn't have cared, like, you know, looking at it from 03:45:40PM  
3 this vantage point, I should have just said, 'Oh, well, 03:45:43PM  
4 whatever,' you know. I'm a minister. I should have just 03:45:47PM  
5 enjoyed being a minister, like - you know what I mean? 03:45:49PM  
6 I shouldn't have done any of this. I really shouldn't 03:45:53PM  
7 have done any of this. You know, I lost my ministry 03:45:55PM  
8 because of it. It was just my - my strength is also my 03:45:58PM  
9 weakness, Commissioner. I am obsessive. If I believe in 03:46:01PM  
10 a cause, I go for it. But that's - that's - the downside 03:46:04PM  
11 is you get shot in the head because you get too carried 03:46:08PM  
12 away sometimes. That's what happened to me. 03:46:12PM  
13 MR CARR: Mr Somyurek, can I draw your attention to line 12. 03:46:14PM  
14 You say 'you're not doing your job' there? 03:46:21PM  
15 MR SOMYUREK: Yeah. 03:46:28PM  
16 MR CARR: Now, the job you're talking about is his job at 03:46:28PM  
17 Ms Kairouz's ministerial office? No? You're shaking your 03:46:32PM  
18 head? You don't accept that? 03:46:39PM  
19 MR SOMYUREK: No, it's got nothing to do with his job there. 03:46:43PM  
20 It's - I see his job as being part of the south-east, of 03:46:46PM  
21 Byrne's crew, and help - you know, scrutineering branches 03:46:49PM  
22 and things like that. He wants a seat. 03:46:53PM  
23 MR CARR: Just listen to the words - - - 03:46:55PM  
24 COMMISSIONER: One of the great misfortunes, isn't it, 03:47:01PM  
25 Mr Somyurek, of what emerges from the evidence that's 03:47:05PM  
26 unfolded in this inquiry, that all of these young people 03:47:13PM  
27 with aspirations of a parliamentary career who may have 03:47:16PM  
28 great things to contribute to the State of Victoria, they 03:47:23PM  
29 all have to start their careers going through this 03:47:26PM

1 unethetical factional work? That's a tragedy, is it not? 03:47:29PM

2 MR SOMYUREK: It is, Commissioner, but it's not just 03:47:36PM

3 Mr McLennan. You know, I told you Mr Andrews went through 03:47:38PM

4 this apprenticeship as well, and they all have. 03:47:41PM

5 Mr Shorten - they've all gone through it. 03:47:44PM

6 Mr Keating - - - 03:47:48PM

7 COMMISSIONER: But that invites another question, and that is: 03:47:49PM

8 what do we know about the human condition if someone for 03:47:56PM

9 long enough is engaged in unethetical behaviour - what 03:47:59PM

10 effect does that have on their moral compass and the way 03:48:06PM

11 they'll behave in the future? 03:48:09PM

12 MR SOMYUREK: That's a good point. I mean, you know, 03:48:16PM

13 Mr Andrews was doing all the things we're doing in terms 03:48:17PM

14 of the factional and all the rest of it. But what did it 03:48:20PM

15 have? How do we rationalise it? Um - - - 03:48:23PM

16 COMMISSIONER: And someone would say to you, Mr Somyurek, you 03:48:32PM

17 are living proof - - - 03:48:35PM

18 MR SOMYUREK: Yes. 03:48:36PM

19 COMMISSIONER: Of the consequences of being brought up over 03:48:36PM

20 decades in this unethetical culture? 03:48:38PM

21 MR SOMYUREK: I am. Yes. That's true. But, if you think that 03:48:41PM

22 it's only me, I think that's where the problem arose. 03:48:47PM

23 That's where the problem will continue. The trick is not 03:48:50PM

24 to think it's just me and I'm an aberration, I'm an 03:48:53PM

25 outlier. I'm not. I can give you many examples, but 03:48:57PM

26 I don't think you're interested because it's a public 03:49:01PM

27 examination. 03:49:03PM

28 COMMISSIONER: Well, if you heard my explanation earlier this 03:49:04PM

29 afternoon, Mr Somyurek, for the limits in terms of what 03:49:07PM



1 the scope of the public examination is, and I think you 03:49:11PM  
2 understood - - - 03:49:17PM  
3 MR SOMYUREK: Yeah. 03:49:18PM  
4 COMMISSIONER: You'll understand why there are limits? 03:49:19PM  
5 MR SOMYUREK: Yep. 03:49:21PM  
6 COMMISSIONER: Yes, Mr Carr. 03:49:21PM  
7 MR CARR: I tender that document, Commissioner. 03:49:21PM  
8 COMMISSIONER: That will be 102. 03:49:24PM  
9 03:49:26PM  
10 #EXHIBIT 102 - Clip 19-1 from 10/03. 03:49:26PM  
11 MR CARR: Is now a convenient time for a five-minute break, 03:49:27PM  
12 Commissioner? 03:49:29PM  
13 COMMISSIONER: Yes. All right. We'll break until 4 o'clock, 03:49:31PM  
14 and we may then sit on until close to 4.30. 03:49:35PM  
15 MR SOMYUREK: Okay. Thank you. 03:49:38PM  
16 (Short adjournment.) 03:49:39PM  
17 COMMISSIONER: Are we ready to proceed? Very good. Thank you. 04:04:31PM  
18 Yes, Mr Carr. 04:04:34PM  
19 MR CARR: Thank you, Commissioner. (To witness) Now, 04:04:36PM  
20 Mr Somyurek, you've twice now made the point that the 04:04:41PM  
21 factional work would never have taken priority over 04:04:53PM  
22 Question Time because that is the most important thing in 04:04:59PM  
23 a minister's life. Can I ask you to look, please, at 04:05:03PM  
24 exhibit 83. Now, this can't be streamed, but you can read 04:05:09PM  
25 it. 24 May 2018, 'Can you please send me Central Branch 04:05:19PM  
26 members numbers and normal branch members numbers in the 04:05:29PM  
27 provinces.' 'I'm in QT.' 'QT' is Question Time, isn't it? 04:05:33PM  
28 MR SOMYUREK: Yeah, but, Mr Carr, before you go on, I'm not a 04:05:40PM  
29 minister at that point. I'm just an observer in Question 04:05:43PM

1 Time on the back bench. 04:05:46PM

2 MR CARR: Okay. So Question Time when you're not a minister 04:05:48PM

3 you might have sacrificed but never would have sacrificed 04:05:51PM

4 as a minister? 04:05:54PM

5 MR SOMYUREK: Well, I do remember sitting on a bill in - I do 04:05:56PM

6 remember in a committee stage of a bill having to respond 04:06:03PM

7 to some disaster that was befalling the Right. But, 04:06:08PM

8 anyway, that's another story. Yeah. But that was - 04:06:12PM

9 I wasn't a minister at that point, though, yeah. 04:06:14PM

10 Obviously we've got our text messages because we are 04:06:18PM

11 communicating with the chief-of-staff and our advisers in 04:06:21PM

12 Question Time. That's the only text message that I should 04:06:23PM

13 have been concerned about when I was a minister. 04:06:26PM

14 MR CARR: I'm not trying to trap you. I want to give you a 04:06:29PM

15 chance. If you want to revise your evidence. If a 04:06:32PM

16 minister is heavily involved in factional activities, you 04:06:36PM

17 accept that that's sometimes going to take priority over 04:06:42PM

18 something like Question Time? 04:06:45PM

19 MR SOMYUREK: Well, in terms of - sorry, I'm not trying to be 04:06:51PM

20 cute. Can you please clarify? Yeah, you're not going to 04:06:53PM

21 miss out on Question Time because you're doing factional 04:06:56PM

22 activity, like, you're just not. But if - are you 04:06:59PM

23 answering a factional thing when you're sitting there 04:07:02PM

24 waiting for questions? You might. You know, you try not 04:07:05PM

25 to because you want to be concentrating, but yeah. 04:07:09PM

26 MR CARR: And in Question Time prep you might prioritise 04:07:12PM

27 factional things where there's a war on, for instance? 04:07:17PM

28 MR SOMYUREK: In prep? In preparation? In Question Time prep? 04:07:20PM

29 MR CARR: Yeah. 04:07:24PM

1 MR SOMYUREK: Well, if there's - it's got to be something 04:07:25PM  
2 really big happening to sacrifice Question Time prep, 04:07:27PM  
3 because I was hyper-focused when I was on prep, yep. 04:07:30PM  
4 COMMISSIONER: I take it, Mr Somyurek, you don't want me to 04:07:36PM  
5 treat that piece of evidence literally, that Question Time 04:07:39PM  
6 is more important than the decision making that's got to 04:07:44PM  
7 take place for a minister? 04:07:49PM  
8 MR SOMYUREK: Look, all - as far as I'm concerned, all 04:07:52PM  
9 ministerial work comes first. If you don't perform as a 04:07:54PM  
10 minister, you - all your parliamentary life you work 04:08:00PM  
11 towards being a minister, and then if you don't perform in 04:08:05PM  
12 Question Time or if you don't perform as a minister your 04:08:09PM  
13 career is finished and you're out, essentially. Your 04:08:12PM  
14 public life is over. Your career is finished. 04:08:15PM  
15 COMMISSIONER: Yes, I'm sorry, I was only focusing on the 04:08:20PM  
16 suggestion which I didn't take to be serious that the most 04:08:23PM  
17 important thing a minister does is prepare for Question 04:08:27PM  
18 Time? 04:08:31PM  
19 MR SOMYUREK: Look, all ministerial work/engagement is 04:08:33PM  
20 important, but preparation for Question Time is very, very 04:08:35PM  
21 important. You've got to be really on your toes and make 04:08:38PM  
22 sure that you know what's going on, and part of that, 04:08:41PM  
23 Commissioner, if I could just say this - this is why 04:08:44PM  
24 I think it's important - what you rely on there, 04:08:46PM  
25 Commissioner, is your advisers. If your advisers miss 04:08:48PM  
26 something, that means - the opposition asks you that 04:08:52PM  
27 question, you're finished. 04:08:55PM  
28 COMMISSIONER: I think we've understood what you said about 04:08:57PM  
29 that, Mr Somyurek. 04:08:59PM

1 MR CARR: We might just quickly listen to clip 29-1, 04:09:06PM  
2 Commissioner, if we could, please. 04:09:10PM  
3 COMMISSIONER: Are you finished with this document? 04:09:15PM  
4 MR CARR: Yes, Commissioner, I - - - 04:09:16PM  
5 COMMISSIONER: That will be exhibit 103. 04:09:19PM  
6 04:09:20PM  
7 #EXHIBIT 103 - Exhibit 83, messages dated 24/05/18. 04:09:21PM  
8 (Audio recording played to the Commission.) 04:09:51PM  
9 MR CARR: All right. Now, Mr Somyurek, clearly there were 04:10:47PM  
10 times for Ms Kairouz and for you where factional work took 04:10:51PM  
11 priority over Question Time prep; correct? 04:10:58PM  
12 MR SOMYUREK: Yep. Well, you'd need to know the context, was 04:11:01PM  
13 it five minutes of some information we needed, because at 04:11:05PM  
14 that time McKenzie was in the field. So, you know, you 04:11:08PM  
15 would think that's pretty important. 04:11:12PM  
16 MR CARR: I tender that, Commissioner. 04:11:14PM  
17 COMMISSIONER: What's the date of that, please, Mr Carr? 04:11:17PM  
18 MR CARR: It's 3 June 2020. 04:11:22PM  
19 COMMISSIONER: 104. 04:11:27PM  
20 04:11:27PM  
21 #EXHIBIT 104 - Clip 29-1, audio recording and transcript of 04:11:28PM  
22 03/06/20. 04:11:32PM  
23 MR CARR: Now, I want to move on to a different topic, and can 04:11:32PM  
24 I - I'll start by telling you about some evidence given by 04:11:35PM  
25 Ms Vaghela. She was asked how her daughter came to have a 04:11:41PM  
26 job in Robin Scott's electorate office: 'I don't know 04:11:49PM  
27 whether it was Robin or Adem. I was looking for a job for 04:11:56PM  
28 my daughter. Of course I wanted her to learn, and I can't 04:12:00PM  
29 keep her in my office, you can't put her in Liberal 04:12:03PM

1 Party's office, and Moderate is your faction, so you speak 04:12:06PM  
2 to whoever the boss is, and I said that I want a job for 04:12:08PM  
3 my daughter. I wanted her to learn. That's how it 04:12:11PM  
4 happened in Robin Scott's office.' So, in effect, her 04:12:14PM  
5 evidence was that she wanted a job for her daughter, she 04:12:20PM  
6 spoke to either you or Robin Scott, and it followed as the 04:12:24PM  
7 most natural thing in the world that her daughter was then 04:12:27PM  
8 given a job in Robin Scott's electorate office. Now, does 04:12:30PM  
9 that strike you as a curious or unusual process for 04:12:38PM  
10 appointment to a government job? 04:12:44PM  
11 MR SOMYUREK: No, it's - that little spiel I gave about, you 04:12:50PM  
12 know, the effect of political jobs being patronage, and 04:12:53PM  
13 that can lead to nepotism. I've got an article here about 04:12:56PM  
14 10 MPs that have got their wives working in their own 04:13:02PM  
15 offices, by the way, and then 122 of - in Westminster, 04:13:05PM  
16 having relatives work in people's offices. Look, that's 04:13:11PM  
17 not - doesn't mean that's right; okay? That doesn't mean 04:13:14PM  
18 that's right. Now, in this particular instance I don't 04:13:16PM  
19 know what happened. She worked for Robin. So let's not 04:13:18PM  
20 forget that. Ms Vaghela worked for Robin in his 04:13:21PM  
21 ministry - ministerial office. So I don't - she might 04:13:24PM  
22 have gone straight to Robin. I'm not - I don't know. 04:13:27PM  
23 I do recall that she was trying to get her daughter a job, 04:13:30PM  
24 though. 04:13:33PM  
25 MR CARR: Could we look at exhibit 366, please, a series of 04:13:34PM  
26 charts, and we'll just go through them one - we'll go 04:13:41PM  
27 through them all fairly quickly. Your son's in Mr Byrne's 04:13:47PM  
28 office? 04:13:52PM  
29 MR SOMYUREK: Yep. 04:13:52PM

1 MR CARR: The next one, Mr Donnellan's got his mother in his 04:13:53PM  
2 office? 04:13:59PM  
3 MR SOMYUREK: Donnellan's - Luke's not a Moderate Labor, by the 04:14:02PM  
4 way. 04:14:05PM  
5 MR CARR: Mr Elasmar has his daughter in Ms Kairouz's office, 04:14:09PM  
6 his son in his own office and his nephew in your office 04:14:16PM  
7 and Ms Kairouz's office? Follow that? 04:14:23PM  
8 MR SOMYUREK: Yep. 04:14:42PM  
9 MR CARR: You employed his nephew, Elie Khalil, as an 04:14:43PM  
10 admin - - - 04:14:49PM  
11 MR SOMYUREK: When I was a minister first time around I did. 04:14:49PM  
12 He's a PhD. He's a very smart lad. 04:14:51PM  
13 MR CARR: The next one, Ms Kairouz had her mother and sibling 04:14:59PM  
14 in her own office? 04:15:05PM  
15 MR SOMYUREK: I know - - - 04:15:09PM  
16 MR CARR: And Mr Elasmar's daughter in her office? 04:15:09PM  
17 MR SOMYUREK: Paula worked for me. Are you sure she worked for 04:15:13PM  
18 Marlene, Ms Kairouz? 04:15:15PM  
19 MR CARR: Yes. But she worked for you as well; is that right? 04:15:17PM  
20 MR SOMYUREK: Yeah. 04:15:21PM  
21 MR CARR: Yeah. Mr Elasmar had a daughter and a nephew in 04:15:22PM  
22 Ms Kairouz's office, and Ms Vaghela, as we've already 04:15:28PM  
23 discussed, had a spouse, according to this chart, in 04:15:33PM  
24 Ms Kairouz's office. I thought it was only in Mr Scott's 04:15:38PM  
25 office, but in any case? 04:15:44PM  
26 MR SOMYUREK: Sorry, no, no, who are we talking about? I meant 04:15:47PM  
27 Paula Kairouz five years ago did a bit of work for me. 04:15:50PM  
28 She's a lawyer. She was in between jobs, she was taking a 04:15:53PM  
29 bit of time out. I wanted someone I could trust, so she 04:15:56PM

1 just did a bit of work for me. 04:15:59PM

2 MR CARR: Yes. You can see the names and the linkages on the 04:16:03PM

3 chart. We'll run through them fairly quickly because 04:16:07PM

4 I really just want to draw your attention to the number of 04:16:12PM

5 them and the prevalence of spouses, siblings, children and 04:16:18PM

6 so forth being employed. So you can see we've got 04:16:30PM

7 Mr Scott there; yes? Just nod when you've - - - 04:16:38PM

8 MR SOMYUREK: Yep, yep. 04:16:42PM

9 MR CARR: And then we'll scroll down to the next one. 04:16:42PM

10 MR SOMYUREK: Yeah, my sister did about two months, I think, in 04:17:01PM

11 2016. 04:17:03PM

12 MR CARR: And the next one. You've seen that one, and - - - 04:17:08PM

13 MR SOMYUREK: I get the picture, though, yep. 04:17:12PM

14 MR CARR: The picture is that there is a culture of nepotism, 04:17:17PM

15 isn't it? 04:17:29PM

16 MR SOMYUREK: I think the corollary of political appointments 04:17:29PM

17 is patronage, spoils and nepotism, yes, I think you're 04:17:38PM

18 right there. 04:17:43PM

19 MR CARR: I tender those charts, Commissioner. 04:17:46PM

20 MR SOMYUREK: Mr Carr, just for fairness, can I have 10 seconds 04:17:50PM

21 just to run through some stuff? 04:17:54PM

22 MR CARR: Could I just ask you to wait, because I'll ask you 04:17:56PM

23 some questions and I will give you the opportunity to 04:18:01PM

24 explain? 04:18:04PM

25 MR SOMYUREK: Yep. 04:18:06PM

26 MR CARR: There are two things I want to ask - two issues 04:18:09PM

27 arising from this I want to ask you about. Have you heard 04:18:13PM

28 the expression 'tone is set from the top'? 04:18:18PM

29 MR SOMYUREK: Fish rots from the top, but, yeah, okay, I get 04:18:26PM

1           what you're saying, yep. 04:18:29PM

2 MR CARR: It's a common adage in modern management theory, but 04:18:30PM

3           you'll understand - it's pretty self-explanatory - that 04:18:36PM

4           the culture of an organisation or the tone of an 04:18:39PM

5           organisation emanates from the leaders of the 04:18:42PM

6           organisation? 04:18:47PM

7 MR SOMYUREK: Yep. 04:18:47PM

8 MR CARR: And if you have a culture or a tone which endorses 04:18:47PM

9           nepotism then it will suggest to those within the 04:18:56PM

10          organisation that merit-based decision making is not 04:19:02PM

11          always necessary, won't it? 04:19:07PM

12 MR SOMYUREK: Yep. 04:19:09PM

13 MR CARR: And that's one reason why nepotism is undesirable 04:19:10PM

14          and - I'm sorry, this can come down, please, Commissioner. 04:19:19PM

15 COMMISSIONER: Mr Carr, how do you connect this to the issue of 04:19:21PM

16          branch stacking or the underlying allegations of corrupt 04:19:28PM

17          activity? 04:19:33PM

18 MR CARR: Because this is a conflict of interest which is part 04:19:37PM

19          of the culture of patronage, and that culture is what 04:19:46PM

20          underlies the factional branch-stacking activities, in my 04:19:53PM

21          submission. 04:20:00PM

22 COMMISSIONER: Yes. Those charts of family working for members 04:20:04PM

23          of parliament will be 105. 04:20:23PM

24 04:20:25PM

25 #EXHIBIT 105 - Charts of family working for members of 04:20:26PM

26          parliament. 04:20:30PM

27 MR CARR: Now, Mr Somyurek, you're aware that it is the duty of 04:20:32PM

28          a member of parliament to avoid any actual or perceived 04:20:35PM

29          conflict of interests with their private interests? 04:20:39PM



1 MR SOMYUREK: Yes, of course, yes. 04:20:46PM

2 MR CARR: And it is in fact - it is explicitly spelt out in the 04:20:47PM

3 Members of Parliament (Standards) Act that there is a 04:20:57PM

4 conflict of interest if the member participates or makes a 04:21:02PM

5 decision in the execution of the member's office which 04:21:07PM

6 furthers the private interests of the member or a family 04:21:09PM

7 member; you're aware of that? 04:21:14PM

8 MR SOMYUREK: I'm not so - I'm not sure that I - it hasn't been 04:21:18PM

9 drawn to my attention before, no. 04:21:23PM

10 MR CARR: Well, appointing - - - 04:21:25PM

11 MR SOMYUREK: Sorry, okay, do you mean in terms of employment? 04:21:27PM

12 MR CARR: Yes. 04:21:29PM

13 MR SOMYUREK: No, that hasn't been drawn to my attention. 04:21:31PM

14 MR CARR: Well, appointing a family member as an electorate 04:21:34PM

15 officer would be a clear conflict of interest, wouldn't 04:21:42PM

16 it? 04:21:46PM

17 MR SOMYUREK: See, I don't - what complicates matters, Mr Carr, 04:21:47PM

18 is s27, right, and the members' guide, when you've got the 04:21:52PM

19 whole set of different values, right, and you've got 04:21:59PM

20 meritocracy, then - then diluting meritocracy is s27, 04:22:02PM

21 where you've got political activity, political belief, 04:22:09PM

22 ideology, then you've got trust, loyalty; right? So that 04:22:13PM

23 all dilutes meritocracy and puts it in the trust frame as 04:22:16PM

24 well. So that all muddies the waters a little bit. Maybe 04:22:21PM

25 there's some recommendations you can make to that, 04:22:24PM

26 because, you're right, the consequence of political 04:22:27PM

27 appointment is nepotism. 04:22:28PM

28 MR CARR: Let's come back to that issue in a moment, but that's 04:22:34PM

29 no reason to employ your father as a cleaner, is it? 04:22:37PM

1 MR SOMYUREK: Yeah, I heard that. Now, we used to have a very, 04:22:40PM  
2 very limited budget. We used to have about \$20,000 or so 04:22:45PM  
3 in budget. Now the budget's \$120,000. It's really blown 04:22:48PM  
4 out. We wouldn't employ a cleaner because it just - it 04:22:54PM  
5 would cost too much, and this was a common occurrence when 04:22:58PM  
6 I first came to parliament. So staff used to do it, we 04:23:01PM  
7 all used to do it, because, you know, we were getting by 04:23:06PM  
8 on the smell of an oily rag. My dad would come in and 04:23:10PM  
9 clean sometimes for free. So I said, 'Well, you're not 04:23:16PM  
10 doing it for free,' and I started giving him \$80 a week or 04:23:19PM  
11 something every time he cleaned it. Now, I didn't think 04:23:24PM  
12 there was much in that because it's - in terms of value 04:23:26PM  
13 for money, it's much less than what the market rates are. 04:23:28PM  
14 You know, it's not like I put him on the payroll. But 04:23:31PM  
15 I understand about procurement, and Mr - and the 04:23:35PM  
16 Commissioner's made points on this before about 04:23:38PM  
17 procurement at a lower level. I know Commissioner's - 04:23:41PM  
18 when I was a minister I read things from IBAC about 04:23:45PM  
19 procurement at a lower level. I had been doing that for a 04:23:47PM  
20 while. But, yeah. 04:23:50PM  
21 MR CARR: All right. Now - - - 04:23:52PM  
22 MR SOMYUREK: I understand what you're saying now, but I just 04:23:53PM  
23 thought because it was below market rates that he was, you 04:23:55PM  
24 know, taking I didn't think it was a problem. But, yeah. 04:23:58PM  
25 MR CARR: Just coming back to - I've got to be very quick on 04:24:02PM  
26 this because we're about to pull up stumps for the day, 04:24:07PM  
27 but your issue about an ability to or your point about an 04:24:11PM  
28 ability to value loyalty or political considerations and 04:24:17PM  
29 appointments doesn't avoid the need to not make a decision 04:24:24PM

1           where you have a conflict of interest; do you appreciate      04:24:31PM  
2           that, Mr Somyurek?      04:24:34PM  
3   MR SOMYUREK:  No, no, okay, I do appreciate that.  But the      04:24:40PM  
4           current system at the moment - this is from last month.      04:24:44PM  
5           It lists about 10 MPs who have got their wives working in      04:24:47PM  
6           electoral offices.  So it's not just me.  It's not just      04:24:51PM  
7           us, is it?  This is a wider point you're making as well.      04:24:55PM  
8   MR CARR:  You've seen the charts, and that's just an      04:24:58PM  
9           encapsulation of the issue?      04:25:02PM  
10  MR SOMYUREK:  Yeah.      04:25:04PM  
11  MR CARR:  Yes.      04:25:04PM  
12  COMMISSIONER:  Mr Somyurek, you may have answered this question      04:25:10PM  
13           already in another context.  Is there then no monitoring      04:25:12PM  
14           or auditing of employment of staff - whether at the level      04:25:18PM  
15           suggested in these charts or at ministerial adviser level      04:25:26PM  
16           or electoral officer level, is there no monitoring or      04:25:31PM  
17           auditing to ensure that such conflicts of interest don't      04:25:35PM  
18           arise?      04:25:39PM  
19  MR SOMYUREK:  Yeah, I don't think there is.  I mean, we would      04:25:41PM  
20           all know - like I said, 10 MPs from a newspaper article      04:25:44PM  
21           last month have been listed as employing their wives .  So      04:25:47PM  
22           I would assume that wouldn't happen then.  So it must be      04:25:51PM  
23           perceived that employing your wife or your sibling is fine      04:25:59PM  
24           because people are doing it as a regular practice.  So,      04:26:05PM  
25           you know, maybe that needs to be looked at.  Federally      04:26:10PM  
26           you're no longer allowed to employ family members.      04:26:13PM  
27           Westminster, they've changed the rules, but they've still      04:26:18PM  
28           got 120 employing relatives.  So it's something that's      04:26:21PM  
29           increasingly being legislated, Commissioner.  Maybe there      04:26:24PM

1 is a role for you to make some comments on that. I get 04:26:27PM  
2 your point. It is massively ridden with conflict, yeah. 04:26:31PM  
3 COMMISSIONER: Mr Somyurek, Mr Gullaci, we'll adjourn until 04:26:36PM  
4 9.45 am tomorrow morning so that we make sure that we 04:26:40PM  
5 complete Mr Somyurek's evidence tomorrow. 04:26:47PM  
6 MR GULLACI: Yes, thank you, Commissioner. 04:26:51PM  
7 COMMISSIONER: Yes. Adjourn the hearing, please. 04:26:53PM  
8 <(THE WITNESS WITHDREW) 04:26:55PM  
9 HEARING ADJOURNED 04:26:57PM  
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